

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1990 to July 10, 1991

FIRST SPECIAL SESSION

July 11, 1991 to July 18, 1991

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 9, 1991

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1991

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST SPECIAL SESSION

of the

ONE HUNDRED AND FIFTEENTH LEGISLATURE

JULY 11, 1991 to JULY 18, 1991

Sec. 22. 30-A MRSA §5054, first ¶, as enacted by PL 1989, c. 601, Pt. B, §4, is amended to read:

§5054. Duties of commissioner

In implementing this subchapter, the ~~commissioner~~ state authority shall:

Sec. 23. 30-A MRSA §5054, sub-§§2, 4 and 5, as enacted by PL 1989, c. 601, Pt. B, §4, are amended to read:

2. Coordinate with municipality. Coordinate the resources of the ~~department~~ state authority with the resources of the ~~state authority and the~~ municipality to address residential housing deterioration;

4. Provide technical assistance. Provide technical assistance to municipalities in developing plans to address residential and neighborhood deterioration. Technical assistance provided under this subsection ~~shall include~~ includes technical assistance provided by state agencies represented on the interagency task force;

5. Analyze problems and causes of problems that create residential blight. In implementing this subsection, ~~the commissioner,~~ the interagency task force and the state authority shall monitor the 4 demonstration zones and develop findings and recommendations concerning neighborhood deterioration and revitalization; and

Sec. 24. 30-A MRSA §5055, first ¶, as enacted by PL 1989, c. 601, Pt. B, §4, is amended to read:

The ~~commissioner,~~ the state authority and the interagency task force shall develop models for the revitalization of deteriorating residential areas in urban areas based on the results of the study and monitoring of the demonstration zones as provided in section 5052. The ~~commissioner,~~ the state authority and the interagency task force shall review and evaluate the plans and programs applied to the demonstration zones and report their findings and recommendations to the Governor and the joint standing committee of the Legislature having jurisdiction over housing matters by December 30, 1992. This report ~~shall~~ must include:

Sec. 25. Transition provisions. The following provisions apply to the reassignment of the duties and responsibilities of the Department of Economic and Community Development indicated in this Act.

1. Notwithstanding the provisions of the Maine Revised Statutes, Title 5, all accrued expenditures, assets, liabilities, balances or appropriations, allocations, transfers, revenues, the proceeds of general obligation bonds of the State issued or to be issued pursuant to Private and Special Law 1989, chapter 84 or other available funds in an account or subdivision of an account

supporting the duties and functions of the programs to be transferred from the Department of Economic and Community Development must be transferred to the Maine State Housing Authority.

2. All existing loan agreements, commitments of program funds and housing opportunity zone designations currently in effect concerning the programs to be moved from the Department of Economic and Community Development continue in effect. The Maine State Housing Authority is the successor to all such loan agreements, commitments of program funds and housing opportunity zone designations concerning the programs to be moved from the Department of Economic and Community Development subject to the availability of the proceeds of the general obligation bonds issued or to be issued pursuant to Private and Special Law 1989, chapter 84.

3. All records, property and equipment previously belonging to or allocated for the use of the programs to be moved from the Department of Economic and Community Development transfer with the programs to the Maine State Housing Authority.

4. The repeal and reenactment of the Affordable Housing Alliance Advisory Committee do not affect the term, tenure or appointment of the current members of the committee.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective July 30, 1991.

CHAPTER 611

H.P. 1166 - L.D. 1707

An Act to Amend the Maine Uniform Accounting and Auditing Practices Act for Community Agencies

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §1653, sub-§6-A is enacted to read:

6-A. OMB circulars. "OMB circulars" means those publications of the federal Office of Management and Budget applicable to grants administration, cost principles and audit standards and the implementing regulations for each, as codified by federal agencies.

Sec. 2. 5 MRSA §§1659 to 1660-A are enacted to read:

§1659. Exceptions to criteria

The commissioner shall adopt rules to ensure maximum uniformity and consistency of exceptions to the applicable OMB circulars except as otherwise provided for by state or federal law. Exceptions apply to state funds and to various federal funds to which the State is given authority to set standards of administration and cost principles. State departments must conform to the rules adopted by the commissioner.

§1660. Independent public accountant audits

Independent public accountant compliance audits that are performed in accordance with audit standards of Maine Uniform Accounting and Auditing Practices regulations satisfy the requirement that a single audit be performed under section 1654, subsection 3.

§1660-A. Report

Beginning on July 1, 1992, the commissioner shall report annually to the joint standing committee of the Legislature having jurisdiction over state and local government matters on the implementation of this chapter.

Effective October 17, 1991.

CHAPTER 612

S.P. 642 - L.D. 1690

An Act to Establish a Higher Education Loan Program and to Make Certain Amendments to the Laws Affecting Education Programs of the Finance Authority of Maine

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 10 MRSA §1013, sub-§§11 and 12, as enacted by PL 1989, c. 698, §10, are amended to read:

11. Student Educational Enhancement Deposit Plan. The Student Educational Enhancement Deposit Plan, as established in Title 20-A, chapter 430; ~~and~~

12. Maine Choice Program. The Maine Choice Program, as established in Title 20-A, chapter 430-A; ~~and~~

Sec. 2. 10 MRSA §1013, sub-§13 is enacted to read:

13. Higher Education Loan Program. The Higher Education Loan Program as established in Title 20-A, chapter 417-B.

Sec. 3. 20-A MRSA c. 417-B is enacted to read:

CHAPTER 417-B**HIGHER EDUCATION LOAN PROGRAM****§11441. Program established**

There is established the Higher Education Loan Program, administered by the Finance Authority of Maine, to carry out the purposes of this chapter.

§11442. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Authority. "Authority" means the Finance Authority of Maine.

2. Eligible program of study. "Eligible program of study" means a certificate program of at least one year, an associate degree program, a baccalaureate degree program or a graduate degree program.

3. Institution of higher education. "Institution of higher education" means an accredited institution of higher education located within the United States.

4. Unmet need. "Unmet need" means the difference between the total cost of attendance for an academic year at an institution of higher education and the total of all sources of financial assistance, including loans, grants, work-study programs and all other available sources, as determined by the authority by rules adopted in accordance with Title 5, chapter 375.

§11443. Eligibility

Loans under this chapter are available only to or for the benefit of a resident of the State who:

1. Graduated. Has graduated from an approved secondary school, matriculated at a postsecondary school prior to high school graduation or successfully completed a high school equivalency diploma or its equivalent;

2. Accepted as undergraduate. Has been accepted for enrollment as an undergraduate or graduate student or is in good standing as an undergraduate or graduate student at an institution of higher education in an eligible program of study and has not previously received the degree for which the student is enrolled;

3. Application. Has applied for a loan under the program according to schedules and procedures and on forms specified by the authority and has provided or caused to be provided all information determined necessary by the authority in order to determine eligibility;

4. Unmet need. Has been determined by the authority to have an unmet need for financial assistance that,