

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

SECOND REGULAR SESSION
January 7, 1998 to March 31, 1998

SECOND SPECIAL SESSION
April 1, 1998 to April 9, 1998

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1998

SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 9, 1998

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
1997

the Maine Revised Statutes, Title 35-A, section 3303, for electric rate stabilization projects as defined in Title 10, section 963-A from up to \$275,000,000 of the proceeds of revenue obligation securities secured by capital reserve funds pursuant to Title 10, section 1053. Notwithstanding any provision of Title 10, chapter 110, loans may aggregate up to \$275,000,000 plus an amount determined by the Finance Authority of Maine of up to an additional aggregate of \$55,000,000 to fund any capital reserve fund established by the authority for these loans. Revenue obligation securities secured by capital reserve funds pursuant to Title 10, section 1053 relating to such loans may not be issued for an electric rate stabilization agreement as defined in Title 35-A, section 3156, executed after ~~February 1~~ July 31, 1998. Any revenue obligation securities issued for electric rate stabilization projects secured by capital reserve funds pursuant to Title 10, section 1053 are limited obligations of the Finance Authority of Maine payable from revenues from borrowers and any capital reserve funds pledged for those securities as those funds are administered under Title 10, chapter 110, subchapter III and are not payable from any other assets or funds of the Finance Authority of Maine. In addition to all other applicable provisions, the requirements of Title 10, section 1045-A apply to loans for electric rate stabilization projects.

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

Effective April 16, 1998.

CHAPTER 782

S.P. 814 - L.D. 2196

An Act to Expand the Maine Seed Capital Tax Credit Program

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

Sec. 1. 10 MRSA §1100-T, sub-§2, ¶C, as amended by PL 1991, c. 854, Pt. A, §8, is further amended to read:

C. Aggregate investment eligible for tax credits may not be more than ~~\$600,000~~ \$1,000,000 for any one business as of the date of issuance of a tax credit certificate.

Sec. 2. 10 MRSA §1100-T, sub-§2, ¶D, as amended by PL 1995, c. 424, §2, is further amended to read:

D. The investment with respect to which any individual is applying for a tax credit certificate

may not be more than an aggregate of ~~\$100,000~~ \$200,000 in any one business in any 3 consecutive calendar years, except that this paragraph does not limit other investment by any applicant for which that applicant is not applying for a tax credit certificate.

Sec. 3. 10 MRSA §1100-T, sub-§2, ¶E, as amended by PL 1995, c. 658, §3, is further amended to read:

E. The business receiving the investment must have annual gross sales of ~~\$2,000,000~~ \$3,000,000 or less and the operation of the business must be the full-time professional activity of the principal owner, as determined by the authority. The principal owner and the principal owner's spouse are not eligible for a credit for investment in that business. A tax credit certificate may not be issued to a parent, brother, sister or child of a principal owner if the parent, brother, sister or child has any existing ownership interest in the business.

Sec. 4. 10 MRSA §1100-T, sub-§4, as amended by PL 1995, c. 424, §4, is further amended to read:

4. Total of credits authorized. The authority may issue tax credit certificates to investors eligible pursuant to subsection 2 in an aggregate amount not to exceed \$2,000,000 up to and including calendar year 1996, \$3,000,000 up to and including calendar year 1997, ~~\$4,000,000 and \$5,500,000~~ up to and including calendar year 1998, ~~\$5,000,000 up to and including~~ calendar year 1999, ~~\$6,000,000 up to and including~~ calendar year 2000, and not to exceed \$7,000,000 thereafter. In addition, the authority may issue tax credit certificates to investors eligible pursuant to subsection 2-A in an aggregate amount not to exceed \$1,000,000.

See title page for effective date.

CHAPTER 783

S.P. 823 - L.D. 2212

An Act to Amend the Authority of the Adjutant General to Sell Armories, to Increase the Authorized Size of the Veterans' Memorial Cemetery and to Authorize the Department of Administrative and Financial Services to Purchase Land in Houlton for a New Public Safety Facility

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

Sec. 1. 37-B MRSA §264, sub-§3, as enacted by PL 1995, c. 684, §3, is amended to read:

3. Exceptions; authorization to sell. Notwithstanding subsection 2, paragraph B, the Adjutant General is authorized to sell the following armories and parcel of land:

A. The Brunswick Armory or the Bath Armory, but not both;

B. The Newport Armory;

C. The Rumford Armory;

~~D. The Sanford Armory; and~~

E. The South Portland Armory;

F. The Millinocket Armory; and

G. A 6 1/2-acre parcel of land located on the northeasterly side of U.S. Route One across from the Belfast Armory and part of the parcel of land described in the Waldo County Registry of Deeds, Book 411, Page 446.

Sec. 2. 37-B MRSA §504, sub-§1, as amended by PL 1997, c. 455, §20, is further amended to read:

1. Land acquisition. The director may acquire by eminent domain in accordance with Title 35-A, chapter 65 and with approval of the Governor, or by purchase, gift or otherwise, real estate in fee simple, or any interest therein, for use as a Veterans' Memorial Cemetery. ~~The land may not exceed 200 acres in area and~~ must be located near the center of population of the State.

Sec. 3. Purchase of land. Notwithstanding any other provision of law, the Department of Administrative and Financial Services is authorized to purchase a parcel of land adjacent to the state police barracks in Houlton for the purpose of constructing a new public safety facility.

Sec. 4. Feasibility study. The Department of Defense, Veterans and Emergency Management is directed to convene a group of people to study the feasibility of locating a veterans' cemetery in Aroostook County. The group consists of the following:

1. Three members of the American Legion, to be appointed by the District 7 (North), American Legion Commander;

2. Three members of the Veterans of Foreign Wars, to be appointed by the Maine District 1 Veterans of Foreign Wars Commander;

3. Two veterans at large, to be appointed by the Aroostook County commissioners; and

4. One member of the Department of Defense, Veterans and Emergency Management, appointed by the Commissioner of Defense, Veterans and Emergency Management or the commissioner's designee.

The study must include, but is not limited to, a review of potential in-kind donation of land and resources and utilization of volunteers for the purpose of establishing the veterans' cemetery. The members of the group shall serve without compensation. The group shall submit a report of their findings and recommendations not later than February 1, 1999 to the joint standing committee of the Legislature having jurisdiction over legal and veterans affairs.

See title page for effective date.

CHAPTER 784

H.P. 1585 - L.D. 2216

**An Act to Implement the
Recommendations of the
Commission to Study the
Restructuring of the State's Fiscal
Policies to Promote the Development
of High-technology Industry in
Maine**

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

Sec. 1. Establishment of Ph.D. programs.

The Chancellor of the University of Maine System shall identify, within the University of Maine System, the high-technology disciplines that would be the most productive for the establishment of programs, including Ph.D. programs, to provide educational and professional opportunities for Maine students and economic opportunities through the establishment of significant academic high-technology resources. The chancellor shall consider especially the establishment of Ph.D. programs in computer science and electrical engineering as well as other areas where Ph.D. programs do not currently exist within the target areas identified by the Maine Science and Technology Foundation: biotechnology, environmental technology, composite technology, information technology and marine science technology. The chancellor shall present a report on the need for any additional high-technology degree programs, including any necessary implementing legislation, to the joint select committee of the Legislature having jurisdiction over research and development matters, the joint standing committee of the Legislature having jurisdiction over education and cultural affairs and the 119th Legislature by