

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

SECOND SPECIAL SESSION

July 29, 2005

SECOND REGULAR SESSION

January 4, 2006 to May 24, 2006

THE GENERAL EFFECTIVE DATE FOR

SECOND SPECIAL SESSION

NON-EMERGENCY LAWS IS

OCTOBER 28, 2005

THE GENERAL EFFECTIVE DATE FOR

SECOND REGULAR SESSION

NON-EMERGENCY LAWS IS

AUGUST 23, 2006

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

Penmor Lithographers

Lewiston, Maine

2006

rules as defined in Title 5, chapter 375, subchapter 2-A.

PART C

Sec. C-1. Code of conduct working group.

The Commissioner of Administrative and Financial Services, or the commissioner's designee, shall convene a working group to explore whether the State Purchasing Agent should investigate alleged violations of the state purchasing code of conduct established in the Maine Revised Statutes, Title 5, chapter 155, subchapter 1-B by the creation and use of an independent fact-finding consortium. If the working group determines that the use of such a consortium is appropriate, the working group also shall examine the means by which such a consortium would be created and function.

1. Membership. The working group must consist of 4 members who are Maine-based advocates for labor rights and just working conditions in the apparel, footwear and textile industry and 4 members who represent Maine-based businesses having business of the type that could be subject to the state purchasing code of conduct. Members shall serve without compensation. The State Purchasing Agent, or the agent's designee, shall serve as an ex officio, nonvoting member of the working group.

2. Convening of working group. The Commissioner of Administrative and Financial Services shall convene the first meeting of the working group. At that meeting, the members shall elect a chair, who shall convene, set the agenda for and facilitate working group meetings.

3. Duties. The working group shall make recommendations to advise the Department of Administrative and Financial Services on the following issues:

- A. The appropriateness of the creation and use of an independent consortium to monitor and investigate alleged violations of the state purchasing code of conduct;
- B. The factors that should be considered in defining and ensuring the independence of the consortium;
- C. The manner in which other local and state governments would become members of the consortium;
- D. The fiscal, personnel and equipment resources that would need to be dedicated by the State to create, implement and administrate the use of a consortium; and
- E. The process by which a consortium, if used by the State, would investigate and report on

complaints brought under the state purchasing code of conduct law.

4. Reports; notice of meetings. The working group shall provide an interim report by September 1, 2006 to the joint standing committee of the Legislature having jurisdiction over state and local government matters and shall notify committee members of each meeting of the working group. A final report with recommendations, including, if necessary, recommended proposed legislation, that are supported by at least 5 of the 8 voting members of the working group regarding the creation and use of a consortium must be submitted to the committee on or before January 15, 2007.

5. Termination of working group. The working group terminates January 15, 2007.

See title page for effective date.

CHAPTER 555

H.P. 143 - L.D. 192

An Act To Establish the Pine Tree Recreation Zone

Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, recreational businesses and the areas of the State that they serve are in need of economic support, and providing tax incentives to recreational businesses in rural portions of the State would improve the economic climate of those areas; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 30-A MRSA c. 206, sub-c. 5 is enacted to read:

SUBCHAPTER 5

PINE TREE RECREATION ZONE

§5250-Q. Pine Tree Recreation Zone

1. Definitions. As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Qualified project" means a business project that meets the criteria set forth in subsection 4 conducted by a qualified industry.

B. "Qualified industry" means a for-profit corporation, limited liability company, partnership, registered limited liability partnership, sole proprietorship, business trust or any other entity, inside or outside the State, that is engaged in or will engage in a qualified project.

2. Establishment. The Pine Tree Recreation Zone is established to expand recreational opportunities and encourage tourism and economic development in areas adjacent to and located within the State's natural resources in the central and northern regions of the State.

3. Designation of zone. The Pine Tree Recreation Zone is that area of the State that is north and east of the Androscoggin River.

4. Project eligibility. A business project is eligible to qualify for Pine Tree Recreation Zone benefits if the project:

A. Is located within the Pine Tree Recreation Zone and is in a labor market area with a population density of less than 30 people per square mile according to the last Federal Decennial Census; and

B. Derives at least 50% of its business from sustainable recreational or agricultural tourism activities that involve the use of available natural resources and provides at least one of the following services:

(1) Accommodations;

(2) Guiding or instructional services; and

(3) The sale or rental of equipment for use in canoeing, kayaking, hunting, fishing, sailing, whitewater rafting, hiking, wildlife photography, snowmobiling, dog sledding, snowshoeing, downhill or cross-country skiing, camping activities or other similar nature-based tourism activities.

5. Administration; rules. The Commissioner of Economic and Community Development shall administer this subchapter and shall adopt rules for the implementation of this subchapter. Rules adopted under this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. The commissioner is authorized to adopt rules setting forth the process by which qualified projects may apply for funding from grants and loans, including loans administered by the Finance Authority of Maine through its economic recovery loan program.

Sec. 2. Development of strategic plan. The Department of Economic and Community Development shall convene at least 4 meetings with representatives of departments and stakeholder associations to gather information on the most effective methods for attracting, retaining and developing natural resource-based industries and nature-based tourism in central and northern Maine, as well as to structure the eligibility criteria and benefit structure for Pine Tree Recreation Zone program participants and qualified projects. The Department of Economic and Community Development shall include in these meetings the Department of Agriculture, Food and Rural Resources, the Department of Conservation, the Department of Inland Fisheries and Wildlife, the Department of Environmental Protection, the Department of Marine Resources and statewide associations that have an interest in nature-based tourism in central and northern Maine and in farming and agricultural tourism. The Commissioner of Economic and Community Development shall use this information to develop a strategic plan for attracting, retaining and expanding new and existing natural resource-based industries and nature-based tourism in central and northern Maine that must include a proposal for program benefits using loans and state grant programs. The commissioner shall report by February 15, 2007 to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters on the details of this strategic plan for the Pine Tree Recreation Zone. The joint standing committee of the Legislature having jurisdiction over business, research and economic development matters is authorized to report out legislation on the strategic plan to the First Regular Session of the 123rd Legislature.

Sec. 3. Effective date. That section of this Act that enacts the Maine Revised Statutes, Title 30-A, chapter 206, subchapter 5 takes effect January 1, 2008.

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

Effective April 10, 2006, unless otherwise indicated.

CHAPTER 556

H.P. 468 - L.D. 635

An Act Relating to Community Sanitary Districts

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