

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

FIRST REGULAR SESSION
December 6, 2006 to June 21, 2007

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 20, 2007

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

Penmor Lithographers
Lewiston, Maine
2007

**CHAPTER 126
H.P. 187 - L.D. 216**

**Resolve, To Establish the
Council on Financial Literacy
and Create a Financial
Literacy Matching Grant
Program**

Sec. 1. Council established. Resolved: That there is created the Council on Financial Literacy, referred to in this resolve as "the council," whose purpose is to encourage and support projects and programs offered by public entities and private not-for-profit entities that seek to inform and educate Maine residents, especially students, on the management of their personal finances; and be it further

Sec. 2. Grant program. Resolved: That the purpose of the council must be carried out through administration of a financial literacy matching grant program for the benefit of Maine residents. The program grants must be awarded by the Treasurer of State, with advice from the Director of the Office of Consumer Credit Regulation within the Department of Professional and Financial Regulation, referred to in this resolve as "the director"; and be it further

Sec. 3. Membership. Resolved: That the council must be chaired by the Treasurer of State. The director or a designee must be a member of the council. Other members must be selected by the Treasurer of State, and must include one member of the Senate appointed by the President of the Senate, one member of the House of Representatives appointed by the Speaker of the House, a business person, a Maine high school student, a Maine college student, a banker, a credit union officer, a Maine investment advisor, a Maine public school teacher and a member of the public; and be it further

Sec. 4. Service without compensation. Resolved: That members of the council serve without compensation except that Legislators are entitled to receive the legislative per diem for attendance at meetings of the council; and be it further

Sec. 5. Additional authority. Resolved: That the council is authorized to apply for and raise private funds to supplement its grant program; and be it further

Sec. 6. Report. Resolved: That the Treasurer of State shall issue a report to the Legislature no later than January 15, 2009 on the operations of the financial literacy matching grant program, including a description of the recipients of the matching grants, a description of how the funded programs have benefited Maine citizens and whether the council has been able to supplement its initial funding from other sources; and be it further

Sec. 7. Transfer to the Financial Literacy Program. Resolved: That, notwithstanding any other provision of law, the State Controller shall transfer \$50,000 in each of fiscal years 2007-08 and 2008-09 from the Office of Consumer Credit Regulation, Other Special Revenue Funds account in the Department of Professional and Financial Regulation to the Financial Literacy Program, Other Special Revenue Funds account in the Office of the Treasurer of State. The State Controller shall make these transfers at a time determined in consultation with the Director of the Office of Consumer Credit Regulation and the Treasurer of State; and be it further

Sec. 8. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**TREASURER OF STATE, OFFICE OF
Financial Literacy Program N004**

Initiative: Allocates funds for the expenses of the financial literacy matching grant program.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
All Other	\$50,000	\$50,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,000	\$50,000

See title page for effective date.

**CHAPTER 127
H.P. 179 - L.D. 208**

**Resolve, Directing the
Department of Economic and
Community Development To
Analyze and Evaluate the
Effect of Tax Increment
Financing for Retail Businesses
on Economic Development**

Sec. 1. Analysis and evaluation. Resolved: That the Department of Economic and Community Development shall analyze and evaluate the effect of tax increment financing for retail businesses on economic development in Maine. In performing this analysis and evaluation, the department shall:

- A. Determine the most appropriate definition of "retail business" for purposes of analysis and evaluation;
- B. Identify and analyze the impact of approved tax increment financing for retail businesses on decisions to initiate or expand retail businesses in

the State, on the impact on other existing businesses and on economic development in the State generally;

C. With assistance from the Department of Administrative and Financial Services, Bureau of Revenue Services, identify and analyze the property tax shifts resulting from the approval of tax increment financing for retail businesses and the sheltering of captured assessed value; and

D. Research the practices of other jurisdictions regarding the use of tax increment financing for retail businesses; and be it further

Sec. 2. Report. Resolved: That the Department of Economic and Community Development shall submit a written report detailing its evaluation and analysis to the Joint Standing Committee on Taxation by November 1, 2007. The joint standing committee may submit legislation to the Second Regular Session of the 123rd Legislature to implement its recommendations regarding the report.

See title page for effective date.

CHAPTER 128

H.P. 791 - L.D. 1073

Resolve, To Study the Promotion, Expansion and Regulation of the Harness Racing Industry

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

Whereas, the Commission To Study the Promotion, Expansion and Regulation of the Harness Racing Industry is established to review the racing industry in Maine; and

Whereas, the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; 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

Sec. 1. Commission established. Resolved: That the Commission To Study the Promotion, Expansion and Regulation of the Harness Racing Industry, referred to in this resolve as "the commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of 11 members appointed as follows:

1. Two members of the Senate, one member of the party holding the highest number of seats and one member of the party holding the 2nd highest number of seats, appointed by the President of the Senate. At least one Senate member must be serving on the Joint Standing Committee on Agriculture, Conservation and Forestry;

2. Four members of the House of Representatives, at least one member of the party holding the highest number of seats and at least one member of the party holding the 2nd highest number of seats, all appointed by the Speaker of the House. At least one House member must be serving on the Joint Standing Committee on Agriculture, Conservation and Forestry;

3. The chair of the Maine harness racing promotion board;

4. Two members recommended by an association of horsemen appointed by the Commissioner of Agriculture, Food and Rural Resources;

5. One member who is a racing director for an agricultural fair recommended by a statewide fair association and appointed by the Commissioner of Agriculture, Food and Rural Resources; and

6. One member representing commercial harness racing tracks appointed by the Commissioner of Agriculture, Food and Rural Resources; and be it further

Sec. 3. Chairs. Resolved: That the Senate member named by the President is the Senate chair of the commission and the House of Representatives member named by the Speaker is the House chair of the commission; and be it further

Sec. 4. Appointments; convening of commission. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. Within 15 days after appointment of all members, the chairs shall call and convene the first meeting of the commission, which must be no later than 60 days following the effective date of this resolve; and be it further

Sec. 5. Duties. Resolved: That the commission shall study the best way to expand racing opportunities for Maine horsemen and Maine-owned horses, including an orderly expansion of race dates and venues and how to better fund the State Harness Racing Commission in a way that serves the racing industry and the public. The commission shall review rules and regulations and issues such as drug testing to ensure the integrity of the sport. In addition, the commission shall explore ways to promote public interest and par-