

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

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Augusta, Maine
2013

veteran may be eligible. The amount of the tuition waiver received by a veteran under this section may not exceed an amount that lowers the tuition to less than the in-state tuition charged by the institution. This section applies to all veterans enrolled at any campus of the University of Maine System, the Maine Community College System or Maine Maritime Academy in an undergraduate program of education. A nonresident student entitled to a waiver under this section must be considered eligible for in-state tuition.

See title page for effective date.

CHAPTER 312

H.P. 863 - L.D. 1218

An Act To Amend the Law Regarding Affordable Housing Tax Increment Financing

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

Sec. 1. 30-A MRSA §5246, sub-§12, as enacted by PL 2003, c. 426, §1, is amended to read:

12. Original assessed value. "Original assessed value" means the assessed value of an affordable housing development district as of March 31st of the tax year preceding the year in which it was designated, and, for affordable housing development districts designated on or after April 1, 2014, "original assessed value" means the taxable assessed value of an affordable housing development district as of March 31st of the tax year preceding the year in which it was designated by the municipality or plantation.

Sec. 2. 30-A MRSA §5247, sub-§3, ¶¶D and F, as enacted by PL 2003, c. 426, §1, are repealed.

Sec. 3. 30-A MRSA §5248, sub-§2, ¶G, as enacted by PL 2003, c. 426, §1, is amended to read:

G. The duration of the program, which may start during any tax year specified in the approval of the affordable housing development program by a municipal legislative body, except that the program may not exceed 30 years from the date of designation of the district after the tax year in which the designation of the district is approved by the director as provided in section 5250, sub-section 3; and

Sec. 4. 30-A MRSA §5249, sub-§1, ¶A, as enacted by PL 2003, c. 426, §1, is amended to read:

A. Costs of improvements made within the affordable housing development district, including, but not limited to:

(1) Capital costs, including, but not limited to:

(a) The acquisition of land or construction of public infrastructure improvements for affordable housing development;

(b) The demolition, alteration, remodeling, repair or reconstruction of existing buildings, structures and fixtures;

(c) Site preparation and finishing work; and

(d) All fees and expenses that are eligible to be included in the capital cost of such improvements, including, but not limited to, licensing and permitting expenses and planning, engineering, architectural, testing, legal and accounting expenses;

(2) Financing costs, including, but not limited to, closing costs, issuance costs and interest paid to holders of evidences of indebtedness issued to pay for project costs and any premium paid over the principal amount of that indebtedness because of the redemption of the obligations before maturity;

(3) Real property assembly costs;

(4) Professional service costs, including, but not limited to, licensing, architectural, planning, engineering and legal expenses;

(5) Administrative costs, including, but not limited to, reasonable charges for the time spent by municipal employees in connection with the implementation of an affordable housing development program;

(6) Relocation costs, including, but not limited to, relocation payments made following condemnation;

(7) Organizational costs relating to the establishment of the affordable housing district, including, but not limited to, the costs of conducting environmental impact and other studies and the costs of informing the public about the creation of affordable housing development districts and the implementation of project plans;

(8) Costs of facilities used predominantly for recreational purposes, including, but not limited to, recreation centers, athletic fields and swimming pools; ~~and~~

(9) Costs for child care, including finance costs and construction, staffing, training, certification and accreditation costs related to

child care located in the affordable housing development district; ~~and~~

(10) Costs of case management and support services; and

(11) Operating costs, including but not limited to property management and administration, utilities, routine repairs and maintenance, insurance, real estate taxes and funding of a projects capital reserve account; and

Sec. 5. 30-A MRSA §5250-D, as enacted by PL 2003, c. 426, §1, is amended to read:

§5250-D. Bond financing

The legislative body of a municipality may authorize, issue and sell bonds, including but not limited to general obligation or revenue bonds or notes, that mature within ~~20~~ 30 years from the date of issue to finance all project costs needed to carry out the affordable housing development program within the affordable housing development district. The municipal officers authorized to issue the bonds or notes may borrow money in anticipation of the sale of the bonds for a period of up to 3 years by issuing temporary notes and notes in renewal of the bonds. All revenues derived under section 5250-A received by the municipality are pledged for the payment of the activities described in the affordable housing development program and used to reduce or cancel the taxes that may otherwise be required to be expended for that purpose. The notes, bonds or other forms of financing may not be included when computing the municipality's net debt. Nothing in this section restricts the ability of the municipality to raise revenue for the payment of project costs in any manner otherwise authorized by law.

See title page for effective date.

CHAPTER 313

S.P. 438 - L.D. 1277

An Act To Streamline the Charitable Solicitations Act

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

Sec. 1. 9 MRSA §5002, as amended by PL 2007, c. 402, Pt. A, §1, is further amended to read:

§5002. Intent

It is the intent of the Legislature to require the licensure and financial reporting of charitable organizations, professional solicitors; ~~and~~ professional fundraising counsel and ~~commercial co-venturers and the bonding of professional solicitors and commercial co-venturers.~~

Sec. 2. 9 MRSA §5003, sub-§3, as amended by PL 2011, c. 286, Pt. A, §1, is repealed.

Sec. 3. 9 MRSA §5003, sub-§3-A, as amended by PL 1999, c. 386, Pt. A, §3, is repealed.

Sec. 4. 9 MRSA §5003, sub-§4-B, as enacted by PL 2003, c. 541, §3, is repealed.

Sec. 5. 9 MRSA §5003, sub-§4-D is enacted to read:

4-D. Director. "Director" means the Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation.

Sec. 6. 9 MRSA §5003, sub-§5-A, as enacted by PL 1977, c. 696, §359, is repealed.

Sec. 7. 9 MRSA §5003, sub-§5-F, as amended by PL 2011, c. 286, Pt. B, §5, is repealed.

Sec. 8. 9 MRSA §5003, sub-§8, as enacted by PL 1977, c. 488, §1, is amended to read:

8. Principal officer. "Principal officer" means the president, ~~chairman~~ chair, executive director or other ~~charitable officers~~ officer or employee responsible for the daily operation of ~~the a~~ charitable organization, a professional solicitor or professional fundraising counsel.

Sec. 9. 9 MRSA §5004, as amended by PL 2011, c. 286, Pt. A, §§3 to 6, is further amended to read:

§5004. Licensure of charitable organizations

~~Charitable organizations must be licensed as follows:~~

1. Initial licensure as a charitable organization. The following provisions govern license applications by charitable organizations.

A. Unless ~~exempt~~ it has received an exemption pursuant to section 5006, a charitable organization that intends to solicit, accept or obtain contributions in this State or to have contributions solicited, accepted or obtained on its behalf within this State shall file a license application with the ~~office~~ director and pay the application and license fees as set under section 5015-A at least 30 days before soliciting, accepting or obtaining contributions ~~in each year in which the organization is engaged in soliciting, accepting or obtaining contributions.~~ Before it is issued a license by the director, a charitable organization that is required to file an initial license application may not solicit, accept or obtain contributions or have contributions solicited, accepted or obtained on its behalf by any other person, charitable organization or professional solicitor. The charitable organization shall identify any affiliate organizations or chapters on its license application.