

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Promote County-based Economic Development Efforts

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

Sec. 1. 30-A MRS §125, as enacted by PL 2003, c. 179, §1, is amended to read:

§ 125. Economic development

1. Budget authority. Subject to the provisions of chapter 3, subchapter 1, ~~article 6~~, the county commissioners of ~~Piscataquis County~~ may in each county have the power to raise, appropriate, borrow and expend money for the purposes of county economic development, subject to the following provisions and limitations.

A. As used in this section, "county economic development" means assisting or encouraging the creation or preservation of new or existing employment opportunities for residents of ~~Piscataquis County~~ a county, or any of its municipalities ~~or unorganized territories~~, through one or more of the following activities:

(1) Development of new sites for the physical location, settlement or resettlement of new or expanded manufacturing, fishing, commercial or other business enterprises to be located within the county, including surveying, payment of related costs for surveying, land acquisition, land use and environmental permitting, engineering, legal services and infrastructure development;

(2) Constructing or financing the development of new community industrial buildings, as defined in Title 5, section 13120-B, to be located within ~~Piscataquis County~~ the county;

(3) Redevelopment of existing structures located within the county for commercial, industrial or mixed use;

(4) Construction, financing or operating assistance to necessary publicly owned transportation facilities, including facilities for passenger and cargo transportation;

(5) Provision of local matching funds for any state or federal transportation project, community development grant or rural development grant to the county or any of its municipalities, intended to achieve purposes substantially similar to those listed in subparagraphs (1) to (4);

(6) Financial participation in any county economic development project organized or funded on a regional basis by 2 or more ~~political subdivisions or state or federal agencies~~ participating counties. For this purpose, the county commissioners may provide assistance to a regional

project to be located in whole or in part outside of ~~Piscataquis County~~that county only upon a finding by the commissioners that the project will confer a substantial economic benefit on ~~Piscataquis County~~the county providing the assistance;

(7) Funding the annual salary and operating expenses of a county economic development officer, development agency or development office; and

(8) Necessary contractual services for any of the purposes stated in this paragraph.

B. All borrowing by the county commissioners for the purposes of this section is subject to the following limitations.

(1) All bonds issued by the county commissioners for the purposes of this section must be approved prior to issuance by the voters of ~~Piscataquis County~~the county by referendum vote in accordance with section 938, except that a referendum for this purpose may be conducted at any regular or special county election at which the total number of votes cast for and against the proposed bond issue is equal to at least ~~50%~~40% of the total number of votes cast in ~~Piscataquis County~~the county for all gubernatorial candidates in the most recent gubernatorial election.

(2) The aggregate unpaid principal amount of all bonds issued under this section may not exceed 2% of the most recent taxable valuation of ~~Piscataquis County~~the county, as certified by the State Tax Assessor pursuant to Title 36, section 381, adjusted to 100%.

(3) ~~Debt may not be incurred or bonds issued~~A county may not incur debt or issue bonds under this section if such debt or bonds, in combination with other county debt then outstanding, would cause ~~Piscataquis County~~the county to exceed limitations on total county debt otherwise provided by law.

(4) All bonds issued under this section must be for capital project costs only and may not be used to fund the annual operating or program expenses of any agency, facility, program or office. The commissioners shall deposit the proceeds of any bond issued under this section to a capital project account for the project concerned, established in accordance with section 921. Bond proceeds deposited to a capital project account may ~~only~~only be used only for purposes of financing or completing the project concerned and for no other purposes. Any funds remaining in the capital project account upon completion or termination of the project concerned must be used by the commissioners to prepay any debt incurred by the county for that project. If the terms of a particular bond issued under this section prohibit prepayment of the bond, any funds remaining in the capital project account upon completion or termination of the project concerned may be transferred to another capital project account or used to retire other county debt.

2. Voter approval required. The county commissioners may not take any action pursuant to subsection 1 unless the authority granted under this section is approved by a majority of the legal voters voting at a countywide referendum, as long as the total number of votes cast for and against the acceptance of this section equals or exceeds 40% of the total votes cast for all candidates for Governor in the last gubernatorial election in the county. The referendum may be conducted at a general or special county referendum election. The referendum must be called, advertised and conducted according to the law relating to municipal elections, except that the registrar of voters is not required to prepare or the clerk to post a new list of voters. The county commissioners shall cause the preparation of the required ballots, on which they shall state the subject matter of this section in the following question:

"Do you favor adoption of the statute granting the [county name] county commissioners the authority to raise, appropriate and borrow money for the purposes of county economic development, subject to certain limitations contained in the statute?"

The voters shall indicate by a cross or a check mark placed against the word "Yes" or "No" their opinion on the question. The results must be declared by the county commissioners and due certificate filed by the clerk with the Secretary of State.

Sec. 2. Appropriations and allocations. The following appropriations and allocations are made.

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Administration - Economic and Community Development 0069

Initiative: Provides one-time funds for the Department of Economic and Community Development to provide support to Maine's 16 counties of up to \$100,000 in state funding per county subject to a 1:1 match.

GENERAL FUND	2007-08	2008-09
All Other	\$1,600,000	\$0
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GENERAL FUND TOTAL	\$1,600,000	\$0

SUMMARY

This bill allows counties in the State to adopt a statute conferring countywide economic powers to raise, appropriate, borrow and expend money for the purposes of county economic development through a countywide referendum. It also makes one-time General Fund appropriations of \$1,600,000 in fiscal year

SP0324, LD 1007, item 1, 123rd Maine State Legislature
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2007-08 for the Department of Economic and Community Development to provide support to Maine's 16 counties of up to \$100,000 in state funding per county subject to a 1:1 match.