**19**

**DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT**

**2018-2019 Regulatory Agenda**

**19-100: Office of Administration and Policy**

**19-498: Office of Community Development**

**19-499: Office of Business Development**

AGENCY UMBRELLA-UNIT NUMBER: **19**

AGENCY NAME: **Department of Economic and Community Development**

**CONTACT PERSON:** Doug Ray, Office of the Commissioner, DECD, 59 State House Station, Augusta, ME 04333. Telephone: (207) 624-9802 Email: [Douglas.Ray@Maine.gov](mailto:Douglas.Ray@Maine.gov).

**EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:** None

**POSSIBLE 2018-2019 RULE-MAKING ACTIVITY:**

**100: Office of Administration and Policy**

**Chapter 1:** Municipal Tax Increment Financing Rule

STATUTORY AUTHORITY: 30-A §5223 and §5229

PURPOSE: Amend the rules to align with current statute and other technical adjustments.

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Municipalities, unorganized territories, businesses, communities

**Chapter 50:** Affordable housing tax increment financing

STATUTORY AUTHORITY: 30-A §5250-A and §5250-B

PURPOSE: Amend the rules to carry out duties of an affordable housing development district.

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Municipalities, unorganized territories, businesses, communities

**Chapter 75:** Business disclosure associated with eligibility for public subsidies and incentives

STATUTORY AUTHORITY: 5 §13070-J

PURPOSE: Amend the rule to align with current statute and other technical adjustments.

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Businesses seeking state assistance and/or access to state incentive programs.

**CHAPTER 90:** The Maine Rural Development Authority

STATUTORY AUTHORITY: 5 §13120-L

PURPOSE: Amend the rule to align with current statute and other technical adjustments.

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Communities seeking loans for the development of commercial facilities.

**CHAPTER 95:** The Maine Rural Development Authority

STATUTORY AUTHORITY: 5 §13120-R

PURPOSE: Create the rule to align with current statute

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Communities and other entities seeking grants for the development of commercial facilities.

**CHAPTER 100:** Pine Tree Development Zone Rules

STATUTORY AUTHORITY - 30-A §5250-M

PURPOSE: Amend the rule to align with current statute and other technical adjustments

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Companies using or eligible for Pine Tree Development Zone benefits, Economic Development organizations and consultants.

**CHAPTER 200:** Pine Tree Recreation Zone

STATUTORY AUTHORITY: 30-A §5250-Q

PURPOSE: Amend the rule to align with current statute and other technical adjustments.

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Municipalities, unorganized territories, businesses, communities

**CHAPTER 400:** Employment Tax Increment Financing Rules

STATUTORY AUTHORITY: 36 §6759

PURPOSE: Amend the rule to align with current statute and other technical adjustments

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Companies using or eligible for ETIF, State Agencies, Economic Development Consultants.

**CHAPTER 450:** Applied Technology Development Centers

STATUTORY AUTHORITY: 5 §15321

PURPOSE: These rules establish the criteria for grants and program operation for targeted technology incubators.

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Municipalities, economic development organizations, communities and businesses

**CHAPTER 500:** Brunswick Naval Air Station Jobs Increment Financing Fund

STATUTORY AUTHORITY: 5 §13083-S-1

PURPOSE: These rules establish the criteria for grants and program operation for targeted technology incubators.

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Municipalities, economic development organizations, communities and businesses

**498: Office of Community Development**

**CHAPTER 42:** Program Statement for administering the 2019 Community Development Block Grant Program

STATUTORY AUTHORITY: 5 §13073

PURPOSE: The rule outlines the procedures by which DECD will administer the Community Development Block Grant Program and allows DECD to administer the federal grant funds in a timely and efficient manner.

ANTICIPATED SCHEDULE: Notice of proposed rule in October 2018, public hearing in November 2018 and adoption by end of November 2018.

AFFECTED PARTIES: The beneficiaries are Maine’s cities and towns (excluding Auburn, Bangor, Biddeford, Lewiston, Portland and Cumberland County, with the exception of Brunswick and Frye Island) and primarily persons of low-to-moderate income.

**CHAPTER 60:** Communities for Maine’s Future Program

STATUTORY AUTHORITY: 5 §13056-D

PURPOSE: These rules implement the program to provide funding for the rehabilitation, revitalization and enhancement of downtowns and village centers and main streets in the State.

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Maine municipalities looking for assistance in community development efforts.

**CHAPTER 65:** Historic Preservation Revolving Fund

STATUTORY AUTHORITY: 5 §13056-F

PURPOSE: These rules implement the program to provide funds to qualified nonprofit historic preservation organizations for the purpose of acquiring endangered historic properties of local, state or national significance.

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Qualified nonprofits seeking funds to preserve historic property.

**CHAPTER 70:** Regional Economic Development Assistance

STATUTORY AUTHORITY: 5 §13073-A

PURPOSE: These rules implement the program to award start-up grants to nonprofit local or regional community organizations providing local or regional economic development programs.

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Economically distressed communities in Maine.

**CHAPTER 75:** Riverfront Community Development Program

STATUTORY AUTHORITY: 5 §13083-T

PURPOSE: These rules implement the program to assist communities along the State’s rivers to revitalize their riverfronts in an environmentally sustainable manner and to promote river-oriented community development and enhancement projects.

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Maine municipalities located along rivers.

**CHAPTER 80:** Economic Opportunity Program

STATUTORY AUTHORITY: 5 §13090-B

PURPOSE: These rules establish the criteria for implementation of the program.

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Maine municipalities seeking grants to secure public and/or private investments to stimulate economic growth.

**CHAPTER 300:** Training and Certification for Code Enforcement Officers

STATUTORY AUTHORITY: 30-A §4451-5

PURPOSE: These rules establish the standards and procedures to certify and recertify local code enforcement officers, local plumbing inspectors, building officials and third-party inspectors. It establishes the minimum standards for all code enforcement officers appointed in Maine and recertification standards that recognize the experience and diverse job responsibilities of Maine’s professional code enforcement community. The rules are intended to be flexible to accommodate the range of experience of code enforcement officers, while laying out basic requirements for newly-appointed code enforcement officers.

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Code Enforcement Officers, Local Plumbing Inspectors, Third-party Inspectors, Municipal Officials, Fire Marshal’s Office, Maine Municipal Association, etc.

**499: Office of Business Development**

**CHAPTER 255:** Visual Media Production Certification

STATUTORY AUTHORITY: 5 §13090-L

PURPOSE: These rules establish the criteria for program operation of the Visual Media Production Certification.

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Producers of Maine media projects.

**CHAPTER 301:** Maine Products Marketing Program

STATUTORY AUTHORITY: 5 §§ 13058(3) and 13061, *et seq.*

PURPOSE: These rules establish the criteria for program operation of the Maine Products Marketing Program.

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Maine producers of consumer goods.

**CHAPTER 311:** Maine Microenterprise Initiative Fund

STATUTORY AUTHORITY: 5 §§ 13063-K and 13063-M

PURPOSE: These rules establish the criteria for carrying out this article.

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Maine community-based organizations providing training to microenterprises.

**CHAPTER 321:** Travel Promotion Matching Fund Program

STATUTORY AUTHORITY: 5 §13090-G

PURPOSE: These rules establish the criteria for carrying out this program.

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Maine public and private nonprofit travel promotional organizations.

**CHAPTER 331:** Technology Centers

STATUTORY AUTHORITY: 5 §15322

PURPOSE: These rules establish the program to support early-stage development of technology-based businesses.

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Early-stage, technology-based businesses in the State

**CHAPTER 341:** Maine Workforce Opportunities Program

STATUTORY AUTHORITY: 5 §13063-R

PURPOSE: These rules establish the criteria for carrying out this program.

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Maine businesses looking to hire employees with specific skills and skilled workers seeking quality employment.

**CHAPTER 342:** Grants to Municipalities to Retain Mature or Dominant Employers

STATUTORY AUTHORITY: 5 §§ 13063-D and 13063-C

PURPOSE: Routine technical rules to establish criteria for grant program.

ANTICIPATED SCHEDULE: When conditions are right

AFFECTED PARTIES: Municipalities with major employers in need of assistance during tough economic times with funds from Job Retention Program.