

**§125. Economic and community development**

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

A. As used in this section, "county economic and community development" means assisting or encouraging the creation or preservation of new or existing employment opportunities for residents of a county, or any of its municipalities, 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 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 and community development project organized or funded on a regional basis by 2 or more 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 that county only upon a finding by the commissioners that the project will confer a substantial economic benefit on the county providing the assistance;
- (7) Funding the annual salary and operating expenses of a county economic development officer, development agency or development office subject to approval by a majority vote of the county budget committee or county advisory budget committee; and
- (8) Necessary contractual services for any of the purposes stated in this paragraph. [PL 2007, c. 321, §1 (AMD).]

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 by a majority vote of the county budget committee or county advisory budget committee. All bonds must be approved prior to issuance by the voters of 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% of the total number of votes cast in 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 the county, as certified by the State Tax Assessor pursuant to Title 36, section 381, adjusted to 100%.

(3) 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 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 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. [PL 2007, c. 321, §1 (AMD).]

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**2. Vehicle emissions goals.** In acquiring by purchase or lease light-duty motor vehicles a county shall to the extent practicable do so in a manner designed to increase by 2035 the percentage of plug-in hybrid electric vehicles and zero-emission vehicles acquired annually to 100% of the annual acquisitions of light-duty motor vehicles.

For purposes of this subsection, "light-duty motor vehicle" means any vehicle with a gross vehicle weight rating of less than 10,000 pounds and "plug-in hybrid electric vehicle" has the same meaning as in Title 35-A, section 10126, subsection 1, paragraph D.

[PL 2021, c. 693, §5 (NEW).]

#### SECTION HISTORY

PL 2003, c. 179, §1 (NEW). PL 2007, c. 321, §1 (AMD). PL 2021, c. 693, §5 (AMD).

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