

# MAINE STATE LEGISLATURE

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M A J O R I T Y  
T A X A T I O N

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
116TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1466, L.D. 1993, Bill, "An Act to Demonstrate the Value the State Places on a Strong, Competitive and Sustainable Paper Industry"

Amend the bill by striking out all of section 2 and inserting in its place the following:

'Sec. 2. 30-A MRSA c. 207-A is enacted to read:

CHAPTER 207-A

PULP AND PAPER MANUFACTURING SECTOR  
STABILIZATION ASSISTANCE

§5262. Declaration of necessity

1. Legislative finding. The Legislature finds that there is a need to provide assistance in the financing of substantial capital investments in environmental improvement projects that will be required by state and federal regulation of the State's pulp and paper industry. These investments are necessary to improve the quality of the State's environment and to ensure a competitive and sustainable pulp and paper industry.

2. Declaration of public purpose. It is declared that the actions required to assist the implementation of these

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development programs are a public purpose and that the execution and financing of these programs are a public purpose.

**§5263. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

**1. Captured assessed value.** "Captured assessed value" means the valuation amount by which the current assessed value of a pulp and paper tax increment financing district exceeds the original assessed value of the district. If the current assessed value is equal to or less than the original, there is no captured assessed value.

**2. Commissioner.** "Commissioner" means the Commissioner of Economic and Community Development.

**3. Designee.** "Designee" means a business engaged in the pulp and paper industry that is selected by a municipality as a partner in a development district.

**4. Development district.** "Development district" means a specified area within the corporate limits of a municipality that has been designated as provided under section 5264 and that is to be developed by the municipality or its designee under a development program.

**5. Development program.** "Development program" means a statement of means and objectives designed to improve and modernize the manufacturing facilities and related structures and equipment within the development district. The statement must include:

**A. A financial plan;**

**B. A complete list of public and private facilities to be constructed;**

**C. The uses of private property within the development district;**

**D. The environmental controls to be applied;**

**E. An estimate of the number of jobs to be created, stabilized, retained or eliminated;**

**F. The proposed operation of the development district after the planned capital improvements are completed; and**

2 G. The duration of the program, which may not exceed 20  
3 years from the date of designation of the development  
4 district.

6 6. Environmental improvement project. "Environmental  
7 improvement project" means a capital investment necessary to  
8 comply with the requirements of federal regulation finally  
9 adopted by the United States Environmental Protection Agency  
10 pursuant to its rulemaking initiated on December 17, 1993;  
11 Federal Register, Vol. 58, No. 241, pages 66078 to 66216; or  
12 otherwise required under the United States Clean Air Act or the  
13 United States Clean Water Act or under any state law or  
14 regulation enacted or adopted to implement the requirements of  
15 these federal laws and regulations.

16 7. Financial plan. "Financial plan" means a statement of  
17 the costs and sources of revenue required to accomplish the  
18 development program. The statement must include:

20 A. Cost estimates for the development program;

22 B. The amount of any indebtedness to be incurred;

24 C. Sources of anticipated revenues;

26 D. Estimates of captured assessed values of the development  
27 district;

28 E. The portion of the captured assessed values to be  
29 applied to the development program and resulting tax  
30 increments in each year of the development program; and

32 F. A statement of the estimated impact of tax increment  
33 financing on all taxing jurisdictions in which the  
34 development district is located.

36 8. Original assessed value. "Original assessed value"  
37 means the assessed value of the development district as of March  
38 31st of the preceding tax year.

40 9. Project costs. "Project costs" means expenditures made  
41 or estimated to be made or monetary obligations incurred or  
42 estimated to be incurred by the municipality or, for  
43 environmental improvement projects, by its designee under the  
44 development program after July 1, 1994 that are listed in a  
45 project plan as costs of improvements, including public works,  
46 acquisition, construction or rehabilitation of land or  
47 improvements for sale or use by industrial users, within a  
48 development district plus costs incidental to those improvements,  
49 reduced by income, special assessments or other revenues, other  
50 than those listed in the project plan.

than tax increments, received or reasonably expected to be received by the municipality in connection with the implementation of this plan.

A. The term "project costs" does not include the cost of buildings, or portions of buildings, used predominantly for the general conduct of government. These buildings include, but are not limited to, city halls and other headquarters of government where the governing body meets regularly, courthouses, jails, police stations and other State Government and local government office buildings.

B. The term "project costs" includes, but is not limited to:

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

(a) The actual costs of the construction of public works or improvements, new buildings, structures and fixtures;

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

(c) The acquisition of equipment; and

(d) The clearing and grading of land;

(2) Financing costs, including, but not limited to, all 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, meaning a deficit incurred resulting from the sale or lease as lessor by the municipality of real or personal property within a development district for consideration that is less than its cost to the municipality;

(4) Professional service costs, including, but not limited to, those costs incurred for architectural, planning, engineering and legal advice and services;

(5) Administrative costs, including, but not limited to, reasonable charges for the time spent by municipal employees in connection with the implementation of a project plan;

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

4 (7) Organizational costs, including, but not limited  
5 to, the costs of conducting environmental impact and  
6 other studies and the costs of informing the public  
7 about the creation of development districts and the  
8 implementation of project plans;

10 (8) Payments made, in the discretion of the local  
11 legislative body, that are found to be necessary or  
12 convenient to the creation of development districts or  
13 the implementation of project plans;

14 (9) That portion of the costs related to the  
15 construction or alteration of sewage treatment plants,  
16 water treatment plants or other environmental  
17 protection devices, storm or sanitary sewer lines or  
18 water lines, the rebuilding or expansion of which is  
19 required by the project plan for a development  
20 district, whether or not the construction, alteration,  
21 rebuilding or expansion is within the development  
22 district;

24 (10) Training costs, including, but not limited to,  
25 those costs associated with providing skills  
26 development and training for employees of businesses  
27 within the development district. These costs may not  
28 exceed 20% of the total project costs and must be  
29 designated as training funds within 3 years of the  
30 designation of the development district;

32 (11) Improvements, meaning costs associated with  
33 developing new employment opportunities; establishing  
34 and maintaining administrative and management support;  
35 and such other services as are necessary or appropriate  
36 to carry out the development program; and

38 (12) Notwithstanding subparagraphs (1) to (11), the  
39 cost of acquisition, design, engineering, construction,  
40 building, alteration, enlargement, reconstruction,  
41 renovation, improvement, equipping, remodeling and  
42 installation of an environmental improvement project  
43 including the cost of all labor, materials, building  
44 systems, machinery and equipment; the cost of all  
45 lands, structures, real or personal property, rights,  
46 easements and franchises acquired; the cost of all  
47 utility extensions, access roads, site development,  
48 financing charges, premiums for insurance, interest  
49 prior to and during construction and for 6 months after  
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2 construction; and the cost of working capital for the  
3 environmental improvement project, whether or not that  
4 environmental improvement project is owned by private  
5 parties engaged in the pulp and paper industry.

6 10. Pulp and paper industry. "Pulp and paper industry"  
7 means any industrial activity currently described by the United  
8 States Office of Management and Budget under Standard Industrial  
9 Classification 26, including, without limitation, any activity  
10 regarding the treatment, recycling or disposal of wastewater, air  
11 emissions, solid residues or other related manufacturing  
12 by-products. This term does not include activity relating to,  
13 associated with or otherwise involving the growth, harvesting,  
14 transportation or preparation of timber, pulpwood or other wood  
15 products prior to the manufacture of pulp, paper or paperboard.

16 11. Pulp and paper tax increment financing district. "Pulp  
17 and paper tax increment financing district" means a type of  
18 development district, or portion of a district, that uses tax  
19 increment financing under section 5265. For the purposes of this  
20 chapter, "tax increment financing district" means a pulp and  
21 paper tax increment financing district.

22 12. Tax increment. "Tax increment" means that portion of  
23 all real and personal property taxes assessed by a municipality  
24 in excess of any state, county or special district tax upon the  
25 captured assessed value of property in the development district.

26 §5264. Development districts; development programs and ordinances

27 1. Districts. The municipal legislative body may designate  
28 development districts within the boundaries of the municipality.  
29 Before designating a development district, the municipal  
30 legislative body or the municipal legislative body's designee  
31 shall hold at least one public hearing. Notice of the hearing  
32 must be published at least 10 days before the hearing in a  
33 newspaper of general circulation within the municipality. New  
34 development districts may not be established after January 1,  
35 1998. The commissioner may establish, by rule, procedures  
36 governing the administration of this section.

37 A. At least 75% by area of the real property within a  
38 development district must be owned by a company engaged in  
39 the pulp and paper industry.

40 B. Subsequent changes in the boundaries of a development  
41 district must be adopted in the same manner as the original  
42 delegation under this subsection.

2 C. The development program must be completed within 5 years  
3 of the designation of the tax increment financing district  
4 by the commissioner.

5 D. Before final designation of a tax increment financing  
6 district, the commissioner shall review the proposal to  
7 ensure that the proposal complies with statutory  
8 requirements. In addition, the commissioner must have  
9 received notification from the Commissioner of Environmental  
10 Protection that those elements of a development program  
11 undertaken by parties other than the municipality are part  
12 of a certified environmental improvement project or  
13 projects. A designation under this subsection is effective  
14 upon approval by the municipal legislative body and, for tax  
15 increment financing districts, upon approval by the  
16 commissioner. If the municipality has a charter, the  
17 designation of a development district may not be in conflict  
18 with the provisions of the municipal charter.

19 2. Program. The legislative body of a municipality shall  
20 adopt a development program for each development district. The  
21 program must be adopted at the same time as the district as part  
22 of the district adoption proceedings or, if at a different time,  
23 in the same manner as adoption of the district, with the same  
24 notice, hearing and consultation requirements of subsection 1.  
25 Subsequent changes in the program must be adopted in the same  
26 manner as the original adoption under this subsection.

27 3. Certification of environmental improvement projects. Any  
28 pulp and paper industry applicant seeking to participate in a tax  
29 increment financing district designated under this chapter or  
30 participation in the pulp and paper environmental investment  
31 program shall submit to the Commissioner of Environmental  
32 Protection an application including a complete description of all  
33 proposed project elements and associated, estimated direct costs  
34 that comprise its environmental improvement project and any other  
35 relevant information as the Commissioner of Environmental  
36 Protection may require.

37 A. The Commissioner of Environmental Protection shall issue  
38 a certificate of approval for all or a portion of a proposed  
39 project if, in the commissioner's judgment, the proposed  
40 project or portions of the project satisfy the definition of  
41 an environmental improvement project.

42 B. For each project, the commissioner shall establish a list  
43 of certified elements of the project that are necessary to  
44 implement the certified project or portions of the project.  
45 This list may include any or all of those elements described  
46 in subsection A.



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2           under section 5263, subsection 10, paragraph B, subparagraph (12).

4           C. The commissioner shall issue a decision within 90 days of application and may contract for outside review of the application under Title 38, section 344-A.

8           4. Powers. Within development districts, and consistent with the development program, the municipality or the municipality's designee may acquire, construct, reconstruct, improve, preserve, alter, extend, operate, maintain or promote development intended to meet the objectives of the development program. Pursuant to the development program, the municipality may acquire property, land or easements through negotiation or by using eminent domain powers in the manner authorized for community development programs under section 5204. The municipality's legislative body may adopt ordinances regulating traffic in and access to facilities constructed within the development district. The municipality may install public improvements.

22           **§5265. Tax increment financing**

24           1. Captured assessed value. The municipality may retain all or part of the tax increment of a tax increment financing district for the purpose of financing the development program. The amount of tax increment to be retained is determined by designating the amount of captured assessed value to be retained. When a development program for a tax increment financing district is adopted, the municipal legislative body shall adopt a statement of the percentage of captured assessed value to be retained in accordance with the development program. The statement of percentage may establish a specific percentage or percentages or may describe a method or formula for determination of the percentage. The municipal assessor shall certify the amount of the captured assessed value to the municipality each year.

38           2. Original assessed value. On or after formation of a tax increment financing district, the assessor of the municipality in which it is located shall, on request of the municipal legislative body, certify the original assessed value of the taxable property within the boundaries of the tax increment financing district. Each year, after the formation of a tax increment financing district, the municipal assessor shall certify the amount by which the assessed value has increased or decreased from the original value.

48           3. Development program fund; tax increment revenues. If a municipality has elected to retain all or a percentage of the

2 retained captured assessed value under subsection 1, the  
3 municipality:

4 A. Shall establish a development program fund that consists  
5 of the following:

6 (1) A development sinking fund account that is pledged  
7 to and charged with the payment of the interest and  
8 principal as the interest and principal fall due and  
9 the necessary charges of paying interest and principal  
10 on notes, bonds or other evidences of indebtedness that  
11 were issued by the municipality or its designee to fund  
12 or refund the cost of the development program fund; and

13 (2) A project cost account that is pledged to and  
14 charged with the payment of project costs as outlined  
15 in the financial plan and are paid in a manner other  
16 than as described in subparagraph (1);

17 B. Shall annually set aside all tax increment revenues on  
18 retained captured assessed values and deposit all such  
19 revenues to the appropriate development program fund account  
20 in the following order of priority:

21 (1) To the development sinking fund account, an amount  
22 sufficient together with estimated future revenues to  
23 be deposited to the account and earnings on the amount  
24 to satisfy all annual debt service on bonds and notes  
25 issued under section 5267 and the financial plan; and

26 (2) To the project cost account, an amount sufficient,  
27 together with estimated future revenues to be deposited  
28 to the account and earnings on the amount, to satisfy  
29 all annual project costs to be paid from the account;

30 C. May make transfers between development program fund  
31 accounts as required, as long as the transfers do not result  
32 in a balance in the development sinking fund account that is  
33 insufficient to cover the annual obligations of that  
34 account; and

35 D. Shall annually return to the municipal general fund any  
36 tax increment revenues in excess of those estimated to be  
37 required to satisfy the obligations of the development  
38 sinking fund account. The corresponding amount of local  
39 valuation may not be included as part of the retained  
40 captured assessed value as specified by the municipality.

41 4. Limitations. The following limitations apply.

2 A. Nothing in this section allows or sanctions unequal  
4 apportionment or assessment of the taxes paid on real  
6 property in the State. Taxes on real property within the  
tax increment financing district must be apportioned equally  
with property taxes on real property elsewhere in the  
municipality.

8 B. The municipality shall expend the tax increments  
10 received for a development program only in accordance with  
12 the financing plan. These revenues may not be used to  
circumvent existing tax laws.

14 **§5266. Grants**

16 A municipality may receive grants or gifts for the purposes  
18 of this chapter. The tax increment within a development district  
may be used as the local match for certain grant programs.

20 **§5267. Financing**

22 The legislative body of a municipality may authorize, issue  
24 and sell bonds, including, but not limited to, general obligation  
26 or revenue bonds or notes, that mature within 20 years from the  
28 date of issue, or may enter into other types of financing  
30 transactions as it determines appropriate to finance all project  
32 costs needed to carry out the development program within the  
34 development district. The municipal officers authorized to issue  
36 the bonds or notes may borrow money in anticipation of the sale  
38 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 5265 or received by the municipality are pledged  
for the payment of the activities described in the development  
program and must be 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 a manner otherwise authorized by  
law.

40 **§5268. Administration**

42 The legislative body of a municipality may create a  
44 department, designate an existing department, office, agency,  
46 municipal housing or redevelopment authority or enter into a  
contractual arrangement with a private entity to administer  
activities authorized under this chapter.

48 **§5269. Advisory board**

2 The legislative body of a municipality may create an  
4 advisory board, a majority of whose members must be owners or  
6 occupants of real property located in or adjacent to the  
8 development district that they serve. The advisory board shall  
advise the legislative body and the designated administrative  
entity on the planning, construction and implementation of the  
development program and maintenance and operation of the  
development district after the program has been completed.

10 **§5270. Pulp and paper environmental investment program**

12 **1. Eligibility.** A business engaged in the pulp and paper  
14 industry undertaking a certified environmental improvement  
16 project is eligible to apply for reimbursement of certain costs  
under this program.

18 **2. Pulp and Paper Environmental Investment Fund;**  
**established.** The Pulp and Paper Environmental Investment Fund is  
20 established as a nonlapsing fund administered by the  
22 commissioner. All revenues appropriated to the fund under  
24 subsection 3 must be deposited with the Treasurer of State to be  
credited to the fund. Any interest earned on this money must be  
credited to the General Fund.

26 **3. Recommended appropriation.** Starting with the fiscal year  
28 beginning on July 1, 1995, the Governor shall include in the  
30 recommended budget described under Title 5, section 1664, an  
32 appropriation of \$2,000,000 to the Pulp and Paper Environmental  
Investment Fund in that fiscal year and \$6,000,000 annually for  
the fiscal years ending June 30, 1997, June 30, 1998 and June 30,  
1999.

34 **4. Distribution; procedure.** An applicant who has undertaken  
36 an environmental improvement project or projects certified under  
38 section 5264, subsection 3 may apply annually to the commissioner  
to receive reimbursement for the eligible portion of expenses  
incurred.

40 **A.** On or before March 1st of each year, the applicant shall  
42 provide a detailed description of those elements of the  
applicant's environmental improvement project or projects  
that were undertaken in the previous calendar year.

44 **B.** The commissioner shall calculate, for each applicant  
46 under this section, the eligible portion of the applicant's  
expenses by multiplying the total of the applicant's  
properly documented expenses by 3%.

48 **C.** The commissioner shall sum the eligible portions of the  
50 expenses of all applicants under this section, including

2 fractional portions carried forward from the previous year,  
3 in order to calculate each applicant's share of the  
4 available balance in the Pulp and Paper Environmental  
5 Investment Fund. If this sum is less than the available  
6 balance of the fund, each applicant shall receive 100% of  
7 its respective eligible portion. If this sum is greater  
8 than the available balance of the fund, each applicant shall  
9 receive reimbursement proportional to its share of the sum  
10 of all eligible portions.

11 D. On or before September 30th of each year, the  
12 commissioner shall send to each applicant payment equivalent  
13 to that applicant's carried-forward reimbursement, if any,  
14 and the applicant's proportional share as calculated under  
15 this section, if any.

16 E. Through March 1, 2000, the commissioner shall carry  
17 forward any unreimbursed fraction of the eligible portion  
18 for each applicant.

19 5. Program; administration. The commissioner shall  
20 administer the pulp and paper environmental investment program.  
21 The commissioner may adopt rules pursuant to the Maine  
22 Administrative Procedure Act regarding the overall administration  
23 of this chapter. The commissioner may also establish by rule  
24 fees for administration of the program. The Commissioner of  
25 Environmental Protection may adopt rules pursuant to the Maine  
26 Administrative Procedure Act for determining and certifying  
27 proposed environmental improvement projects and for establishing  
28 application fees necessary to provide review of applications.  
29 All fees collected pursuant to this subsection must be deposited  
30 into the General Fund except that those fees collected pursuant  
31 to a certification application to the Commissioner of  
32 Environmental Protection must be deposited in the Maine  
33 Environmental Protection Fund.

34 6. Confidential information. The names of the recipients of  
35 reimbursements under this section and the amount of each  
36 reimbursement is a public record. The following records are  
37 designated as confidential for purposes of Title 1, section 402,  
38 subsection 3, paragraph A:

39 A. A record obtained or developed by the applicant, the  
40 commissioner or the Commissioner of Environmental Protection  
41 for approval of a pulp and paper environmental improvement  
42 reimbursement. After receipt of the application by the  
43 commissioner or the Commissioner of Environmental  
44 Protection, a record pertaining to the application is not  
45 considered confidential unless it meets one or more of the  
46 requirements of paragraph B; and

2 B. A record obtained or developed by the applicant, the  
4 commissioner or the Commissioner of Environmental Protection  
if:

6 (1) A person, which may include a corporation,  
8 partnership, limited partnership or other business  
10 organization, to whom the record belongs or pertains  
has requested that the record be designated  
confidential; and

12 (2) The information in the record gives the owner or a  
14 user of that information an opportunity to obtain  
16 business or competitive advantage over another person  
18 who does not have access to the information or access  
20 to the information by others would result in a business  
or competitive disadvantage, loss of business or other  
significant detriment to a person to whom the record  
belongs or pertains.

22 A person may not knowingly divulge or disclose records declared  
24 confidential by this subsection except that a record or portion  
of a record may be disclosed when that record or portion of a  
record contains evidence of a violation of law.

26 7. Audit process. The commissioner is authorized to conduct  
28 an audit of any applicant under this section. If the  
30 commissioner determines upon audit that an applicant or its  
32 successors or assigns has received a reimbursement larger than  
34 that to which it is entitled under this section, the overpayment  
must be applied against subsequent reimbursements. If there is  
no subsequent reimbursement, the applicant to which overpayments  
were made is liable for the amount of overpayments and may be  
assessed pursuant to Title 36.

36 8. Repeal. This section is repealed on October 1, 2000.  
38 Any funds remaining in the Pulp and Paper Environmental  
Investment Fund at this time lapse to the General Fund.

40 Further amend the bill by inserting after section 2 the  
42 following:

44 'Sec. 3. 36 MRSA §5219-E, sub-§3-A is enacted to read:

46 3-A. Exception. Notwithstanding subsection 3, for any tax  
48 year ending on or after March 1, 1994 but prior to March 1, 1995,  
the credit allowed by subsection 2 for the taxable year, plus any  
credit carry-forward or carry-back to the taxable year allowed by  
50 subsection 5, may not exceed so much of the tax liability of the  
taxpayer, or the total tax liability of all taxable corporations

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that are members of an affiliated group engaged in a unitary business, for the taxable year, as does not exceed \$25,000 plus 60% of so much of the tax liability for the taxable year as exceeds \$25,000. When the limitation provided in this subsection is exceeded, carry-forwards are applied first and credits under subsection 2 for the taxable year are applied 2nd. Carry-forwards from an earlier unused credit year are applied before carry-forwards from a later unused credit year.'

Further amend the bill by inserting at the end before the statement of fact the following:

FISCAL NOTE

1994-95

REVENUES

General Fund \$1,400,000

This bill establishes the Pulp and Paper Environmental Investment account that requires the Governor to include in the recommended budget General Fund appropriations of \$2,000,000 in fiscal year 1995-96 and \$6,000,000 annually in fiscal years 1996-97, 1997-98 and 1998-99.

The Department of Economic and Community Development and the Department of Environmental Protection may require future General Fund appropriations or Other Special Revenue allocations to administer the pulp and paper state tax increment financing program depending upon the number of businesses applying for approval of a district.

The bill also reduces the investment tax credit for one year by limiting the credit allowed not to exceed \$25,000 plus 60% of the tax liability for the taxable year. This change will increase General Fund revenue by \$1,400,000 in fiscal year 1994-95.'

STATEMENT OF FACT

This amendment replaces section 2 of the original bill, which would have established a combined property tax and state tax increment financing program for the pulp and paper industry. This amendment replaces those provisions with 2 elements of a targeted assistance program for the same industry.

2 The first portion of the new program is a property tax  
4 increment financing program to facilitate capital investment made  
6 by the pulp and paper industry to comply with federal and related  
8 state environmental regulations. This portion of the program is  
10 closely modeled on existing law authorizing tax increment  
12 financing districts. As is the case under existing tax increment  
14 financing law, municipal participation is strictly voluntary.  
16 The significant addition included in this new program is  
authorization to finance private investments with incremental  
property tax revenues flowing from the new real and personal  
property developed in the course of satisfying the federal and  
related state environmental mandates. The 2nd portion of the new  
program involves a system of direct financial assistance to the  
pulp and paper industry to assist in financing the environmental  
investments. The new program is administered by the Commissioner  
of Economic and Community Development.

18 As part of the conditions for participation in either of the  
20 elements of this new program, the pulp and paper company in  
22 question must submit a proposed "environmental improvement  
24 project" to the Department of Environmental Protection. The  
26 Commissioner of Environmental Protection is directed to analyze  
the proposed project and to certify those portions that are, in  
fact, required by federal and related state environmental  
regulation.

28 This amendment also changes the investment tax credit for  
30 any tax year ending on or after March 1, 1994 but prior to March  
32 1, 1995 by limiting the credit allowed from \$25,000 plus 75% to  
\$25,000 plus 60% of the tax liability for the taxable year that  
exceeds \$25,000.

This amendment also adds a fiscal note.