

MAINE STATE LEGISLATURE

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M
R.S.

May

L.D. 321

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DATE: *May 17, 2001*

(Filing No. S-216)

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TAXATION

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**STATE OF MAINE
SENATE
120TH LEGISLATURE
FIRST REGULAR SESSION**

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COMMITTEE AMENDMENT "**B**" to S.P. 95, L.D. 321, Bill, "An Act to Strengthen Maine's Economic Development Incentive Laws"

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Amend the bill by inserting after the enacting clause and before section 1 the following:

24

'**Sec. 1. 5 MRSA §12004-I, sub-§6-E**, as enacted by PL 1997, c. 761, §1, is amended to read:

26

28

6-E.	Economic	Legislative	5 MRSA
Economic	Development	per diem	§13070-L
Development	Incentive	and expenses	
	Commission	Legislators	
		only	

30

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34

This subsection is repealed August 1, 2004.

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Sec. 2. 5 MRSA §13070-J, sub-§1, ¶A, as enacted by PL 1997, c. 761, §2, is amended to read:

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A. "Commission" means the Economic Development Incentive Commission established in section 12004-I, subsection 6-E.

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This paragraph is repealed August 1, 2004.

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Sec. 3. 5 MRSA §13070-L, sub-§1, as enacted by PL 1997, c. 761, §2, is repealed and the following enacted in its place:

2 1. Membership. The commission consists of 7 members
3 appointed as follows:

4
5 A. Three members of the Senate appointed by the President
6 of the Senate: 2 members of the joint standing committee of
7 the Legislature having jurisdiction over taxation matters
8 and one member of the joint standing committee of the
9 Legislature having jurisdiction over business and economic
10 development matters; and

11 B. Four members of the House of Representatives appointed
12 by the Speaker of the House: 2 members of the joint standing
13 committee of the Legislature having jurisdiction over
14 taxation matters and 2 members of the joint standing
15 committee of the Legislature having jurisdiction over
16 business and economic development matters.

17 **Sec. 4. 5 MRSA §13070-L, sub-§2,** as enacted by PL 1997, c.
18 761, §2, is repealed.

19 **Sec. 5. 5 MRSA §13070-L, sub-§3,** as enacted by PL 1997, c.
20 761, §2, is repealed and the following enacted in its place:

21 3. Terms; vacancies. Members serve at the pleasure of the
22 appointing authority for the terms for which they are elected.
23 Appointments must be made within 30 days of the convening of each
24 new Legislature. Vacancies must be filled in the same manner as
25 the original appointment.

26 **Sec. 6. 5 MRSA §13070-L, sub-§4, ¶B,** as enacted by PL 1997, c.
27 761, §2, is amended to read:

28 B. Making recommendations to the ~~commissioner~~ Legislature
29 on additional economic development incentives that should be
30 included in section 13070-J, subsection 1;

31 **Sec. 7. 5 MRSA §13070-L, sub-§§6 and 7** are enacted to read:

32 6. Subcommittees. The commission may form subcommittees to
33 examine any issue under the commission's jurisdiction and make
34 recommendations to the full commission. The commission may
35 appoint to subcommittees, in addition to commission members, any
36 other persons the commission determines may assist the
37 subcommittee in its work.

38 7. Repeal. This section is repealed August 1, 2004.'

39 Further amend the bill by inserting after section 1 the
40 following:

2 **Sec. 2. Transition.** Appointments made to the Economic
 4 Development Incentive Commission prior to the effective date of
 this Act terminate on the effective date of this Act. The
 6 President of the Senate and the Speaker of the House of
 Representatives shall appoint members of the commission as
 8 provided in this Act within 30 days of the effective date of this
 Act. The Economic Development Incentive Commission as
 10 constituted under this Act is the successor to the Economic
 Development Incentive Commission as constituted prior to the
 12 effective date of this Act.

14 **Sec. 3. Appropriation.** The following funds are appropriated
 from the General Fund to carry out the purposes of this Act.

	2001-02	2002-03
18 LEGISLATURE		
20 Legislature		
22 Personal Services	\$1,155	\$1,925
24 All Other	1,050	1,925
26 Provides funds for the per diem and expenses of members 28 of the Economic Development Incentive Commission and to print the required report.		
32 LEGISLATURE		
32 TOTAL	\$2,205	\$3,850

34 Further amend the bill by relettering or renumbering any
 nonconsecutive Part letter or section number to read
 36 consecutively.

38 Further amend the bill by inserting at the end before the
 summary the following:

42 FISCAL NOTE

	2001-02	2002-03
46 APPROPRIATIONS/ALLOCATIONS		
48 General Fund	\$2,205	\$3,850

COMMITTEE AMENDMENT "B" to S.P. 95, L.D. 321

2 The Legislature will require additional General Fund
appropriations of \$2,205 in fiscal year 2001-02 and \$3,850 in
4 fiscal year 2002-03 for the per diem and expenses of legislative
members of the Economic Development Incentive Commission and to
6 print the biannual report as a result of the continuation of the
commission. The estimated future costs in fiscal years 2003-04
8 and 2004-05 will be approximately \$5,945 and \$1,645,
respectively. If the commission is required to contract for
10 studies or research, additional appropriations may be required.
The Legislature will also incur additional costs associated with
12 providing staff assistance to the commission. The ability of the
Legislature and the Office of Fiscal and Program Review to absorb
14 these additional responsibilities within existing staff resources
can not be determined at this time. Additional staffing may be
16 required by the Office of Fiscal and Program Review.

18 The additional costs associated with the continuation of the
activities and responsibilities of the Economic Development
20 Incentive Commission can be absorbed by the Department of
Economic and Community Development and the Department of
22 Administrative and Financial Services, Bureau of Revenue Services
utilizing existing budgeted resources.'

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26 **SUMMARY**

28 This amendment, which is the majority report of the
committee, changes the membership of the Economic Development
30 Incentive Commission from 11 members, including representatives
of state agencies and interest groups, to 7 members of the
Legislature. The commission is authorized to appoint
32 subcommittees that include nonlegislative members. The
commission is repealed August 1, 2004; however, business and
34 agency reporting requirements continue in effect. The amendment
also adds an appropriation section and a fiscal note to the bill.