

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
120TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "B" to S.P. 337, L.D. 1144, Bill, "An Act to Enhance Economic Development Capacity"

Amend the amendment by striking out everything after the title and before the summary and inserting in its place the following:

'Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 5 MRSA §13063-C, sub-§4, as enacted by PL 1995, c. 706, §2, is repealed and the following enacted in its place:

4. Transfer from program. Funds must be transferred from the program as follows:

A. Upon the revocation of a certificate of approval, any balance remaining in the program and allocated to the business whose certificate has been revoked must be transferred to the department's "Administration - Economic and Community Development" program as nonlapsing funds to be used in accordance with section 13063-D; and

B. Notwithstanding section 1585, any balance remaining in the program after July 31, 2007 must be transferred to the Maine Rainy Day Fund as established in section 1513.

The commissioner may consider the layoff or termination of all, or substantially all, of the employees of a certified retained business as demonstration that it has ceased operations.

H. of S.

2 **Sec. 2. 5 MRSA §13063-D**, as enacted by PL 1999, c. 731, Pt.
3 **MMM**, §1 and Pt. VVV, §1, is repealed and the following enacted in
4 its place:

6 **§13063-D. Grants to municipalities to retain mature or**
7 **dominant employers**

8 The commissioner shall authorize grants to municipalities
9 for the purpose of assisting those municipalities to retain
10 mature or dominant employers, as defined in rules adopted by the
11 commissioner, especially manufacturing firms presently located in
12 the State. In awarding grants under this section, the
13 commissioner shall consider the economic health of the region in
14 which the municipality is located, the economic and social
15 impacts that would be or have been created by the loss of the
16 mature or dominant employer and the likelihood of returning that
17 employer to a financially viable condition. In awarding any
18 grant under this section, the commissioner shall take appropriate
19 measures to ensure accountability and a positive return on the
20 public's investment. To the extent that grant funds have been
21 transferred from the Job Retention Program in accordance with
22 section 13063-C, subsection 4, the commissioner shall give
23 priority to projects that are reasonably expected to return a
24 former certified retained business, as defined in section
25 13063-C, to financial viability or its facilities to appropriate
26 productive use. Rules adopted pursuant to this section are
27 routine technical rules as defined in chapter 375, subchapter
28 II-A.

30 **Sec. 3. Appropriations and allocations.** The following
31 appropriations and allocations are made.

34 **CONSERVATION, DEPARTMENT OF**

36 **Administration - Forestry**

38 Initiative: Provides a one-time appropriation of funds for the
39 Community Forestry Fund. Within 30 days after the effective
40 date of this section, the State Controller shall transfer these
41 funds to the Community Forestry Fund as established by the
42 Maine Revised Statutes, Title 12, section 8705.

44 General Fund	2001-02	2002-03
All Other	\$0	\$5,000

46 **Administration - Forestry**

48

Initiative: Allocates funds for the newly established
Community Forestry Fund. These funds must be expended in
consultation with the Community Forestry Advisory Board.

Other Special Revenue Funds	2001-02	2002-03
All Other	\$0	\$5,000

CONSERVATION, DEPARTMENT OF DEPARTMENT TOTALS	2001-02	2002-03
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GENERAL FUND	\$0	\$5,000
OTHER SPECIAL REVENUE FUNDS	\$0	\$5,000

DEPARTMENT TOTAL - ALL FUNDS	\$0	\$10,000
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Sec. 4. Appropriations and allocations. The following
appropriations and allocations are made.

**ECONOMIC AND COMMUNITY
DEVELOPMENT, DEPARTMENT OF**

Forum Francophone

Initiative: Provides for a one-time appropriation of funds for
office space and operational expenses of the Forum Francophone.

General Fund	2001-02	2002-03
All Other	\$0	\$75,000

Sec. 5. Appropriations and allocations. The following
appropriations and allocations are made.

TRANSPORTATION, DEPARTMENT OF

Highway and Bridge Improvements

Initiative: Provides for a one-time appropriation of funds to
the Town of Raymond for a Community Gateways project
administered through the Department of Transportation.

General Fund	2001-02	2002-03
All Other	\$0	\$10,000

Sec. 6. Appropriations and allocations. The following
appropriations and allocations are made.

**HISTORIC PRESERVATION
COMMISSION, MAINE**

Maine Historic Preservation Commission

1. of 3.

2 Initiative: Provides funding for the New Century Community
3 program. The Director of the Maine Historic Preservation
4 Commission and the Maine State Cultural Affairs Council must
5 work cooperatively to distribute these funds to the appropriate
6 cultural agencies in a fair and equitable manner.

8	General Fund	2001-02	2002-03
10	All Other	\$0	\$211,674' '

12 **FISCAL NOTE**

14 **2002-03**

16 **APPROPRIATIONS/ALLOCATIONS**

18	General Fund	\$301,674
20	Other Funds	5,000

22 This amendment reduces the General Fund cost of the bill to
23 \$301,674 in fiscal year 2002-03. This amendment includes General
24 Fund appropriations of:

26 \$5,000 to the Department of Conservation for the Community
27 Forestry Fund;

28 \$75,000 to the Department of Economic and Community
29 Development for office space and operational expenses of the
30 Forum Francophone;

32 \$10,000 to the Department of Transportation for a Community
33 Gateways project; and

34 \$211,674 to provide funding for the New Century Community
35 Program to be distributed to the appropriate cultural
36 agencies by the Maine Historic Preservation Commission and
37 the Maine State Cultural Affairs Council.

40 This amendment also authorizes the use of funds in the Jobs
41 Retention Program by the Administration - Economic and Community
42 Development program within the Department of Economic and
43 Community Development. This bill may affect the amounts that
44 would otherwise lapse to the Maine Rainy Day Fund by July 31,
45 2007. The Department of Economic and Community Development can
46 absorb the additional costs associated with implementing this
47 revised use of Jobs Retention Program resources.

48

SUMMARY

This amendment does the following:

1. It removes the emergency preamble and emergency clause;
2. It appropriates \$5,000 and allocates another \$5,000 for the Community Forestry Fund;
3. It appropriates \$75,000 for the Forum Francophone;
4. It appropriates \$10,000 to the Town of Raymond for a Community Gateways project;
5. It appropriates \$211,674 for the New Century Community Program; and
6. It allows funds in the Jobs Retention Program that become available as a result of a revocation of a certificate of approval for a certified retained business under this program to be used for grants to municipalities to retain mature or dominant employers.

SPONSORED BY:

(Senator GOLDTHWAIT)

COUNTY: Hancock