## MAINE STATE LEGISLATURE

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4	DATE: 4-13-04 (Filing No. H-900)				
4					
6	Reproduced and distributed under the direction of the Clerk of the House.				
8	CODA ODEL CALL B. A.				
10	STATE OF MAINE HOUSE OF REPRESENTATIVES 121ST LEGISLATURE				
12	SECOND SPECIAL SESSION				
14	HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 424,				
16	L.D. 561, Bill, "An Act To Improve Standards for Public				
	Assistance to Employers in the State"				
18					
20	Amend the amendment by striking out all of sections 1 to 3				
20	and inserting in their place the following:				
22	'Sec. 1. 36 MRSA §6652, sub-§§4 and 5 are enacted to read:				
24	4. Bankruptcy. A person who is a debtor in a bankruptcy				
	proceeding pending in United States Bankruptcy Court at the time				
26	reimbursement would be paid is not eligible for reimbursement				
	under this chapter.				
28					
30	5. Wage, compliance and return-to-employment standards. In order to be eligible for reimbursement pursuant to this chapter,				
30	a claimant must:				
32					
	A. Certify upon filing a claim for reimbursement that every				
34	employee of the claimant receives a living wage and that the				
	claimant is in compliance with all federal, state and local				
36	laws. For purposes of this subsection, "living wage" means				
38	a wage, calculated on a calendar-year basis, that is at least sufficient to meet the annual basic needs budget as				
30	most recently published by the Executive Department, State				
40	Planning Office:				
42	B. Pay a living wage to every employee of the claimant.				
44	This paragraph and the certification requirement in paragraph A relating to receipt of a living wage do not				
**	apply if the claimant does not qualify for reimbursement for				
46	more than \$20,000 in a year;				

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HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 424, L.D. 561

2	C. Following the termination of any strike or lockout
	involving its employees, return to their former jobs all
4	employees who wish to be returned to their former jobs; and
6	D. Comply with all federal, state and local laws.
8	The bureau may adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A to implement the provisions of this
10	subsection. The bureau shall suspend or terminate reimbursement of a claimant if that claimant fails to file certification as
12	required by this subsection or if the bureau determines that the certification is false or inaccurate. The bureau shall implement
14	this subsection using existing budgeted resources. A claimant that violates the living wage standard under this subsection
16	shall reimburse the State for any reimbursement received during the period of noncompliance. A claimant that willfully violates
18	a provision of this subsection shall reimburse the State for any reimbursement received during the reimbursement period in which
20	the violation occurred plus a penalty equal to the amount of any reimbursement received during that reimbursement period in
22	addition to any other penalty required by law.
24	Further amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read
26	consecutively.
28	SUMMARY
30	
	This amendment limits the application of the bill to the
32	program that provides reimbursement for taxes paid on certain business property and exempts from the living wage requirement a
34	claimant that does not qualify for reimbursement for more than
34	\$20,000 in a year. It strikes provisions relating to retirement
36	and health benefits and requires the Department of Administrative
30	and Financial Services, Bureau of Revenue Services to implement
38	the law using existing budgeted resources.
40	01 1111
42	SPONSORED BY: Webonah & Hutth (Representative HUTTON)

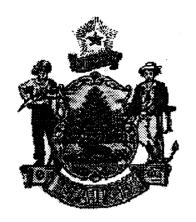
FISCAL NOTE REQUIRED (See attached)

Bowdoinham

TOWN:

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# HOUSE AMENDMENT



# 121st Maine Legislature Office of Fiscal and Program Review

#### LD 561

An Act to Improve Standards for Public Assistance to Employers in the State

### LR 1652(04)

Fiscal Note for House Amendment " " to Committee Amendment " "

Sponsor: Rep. Hutton

Fiscal Note Required: Yes

### **Fiscal Note**

	2003-04	2004-05	Projections 2005-06	Projections 2006-07
Net Cost (Savings) General Fund	\$0	(\$134,369)	(\$128,466)	(\$135,017)
Appropriations/Allocations General Fund	\$0	(\$134,369)	(\$128,466)	(\$135,017)

#### Fiscal Detail and Notes

This amendment eliminates a General Fund appropriation of \$66,770 in fiscal year 2004-05 for Maine Revenue Services for one Revenue Agent position and related costs to audit the affected businesses. It also requires Maine Revenue Services to implement the additional requirements utilizing existing budgeted resources.

This amendment also eliminates the General Fund appropriation of \$67,599 in fiscal year 2004-05 for one Development Project Officer position and related all other costs associated with the Department of Economic and Community Development enforcing the certification of the wage and benefit requirements.