

# MAINE STATE LEGISLATURE

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# 121st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2003

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**Legislative Document**

**No. 874**

H.P. 651

House of Representatives, February 20, 2003

### **An Act To Connect the BETR Program with Job Retention**

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Reference to the Committee on Taxation suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative CLARK of Millinocket.  
Cosponsored by Senator STANLEY of Penobscot and  
Representatives: DUGAY of Cherryfield, DUPREY of Medway, GOODWIN of Pembroke,  
HATCH of Skowhegan, PINEAU of Jay, USHER of Westbrook, WHEELER of Kittery,  
Senator: HATCH of Somerset.

2 Be it enacted by the People of the State of Maine as follows:

4 Sec. 1. 36 MRSA §6652, sub-§4 is enacted to read:

6 4. Temporary ineligibility. A person that is required  
8 pursuant to section 6664 to refund a reimbursement benefit  
10 received pursuant to this chapter is ineligible to participate in  
12 the BETR program for a period of 2 years following the year for  
14 which the refund was required.

16 Sec. 2. 36 MRSA §6664 is enacted to read:

18 §6664. Return of reimbursement for workforce reduction

20 A person that receives a benefit under this chapter must  
22 retain all or increase the number of its employees to remain  
24 eligible to participate in the BETR program. Notwithstanding any  
26 other provision of this chapter, if a person reduces that  
28 person's workforce in this State, the person shall refund taxes  
30 reimbursed under this chapter for the year immediately previous  
32 to the year in which the workforce is reduced based upon the  
34 following schedule.

36 1. Reduction of one to 75 positions. If the person reduces  
38 its workforce by one to 75 positions, it must reimburse 25% of  
40 the reimbursement amount.

42 2. Reduction of 76 to 150 positions. If the person reduces  
44 its workforce by 76 to 150 positions, it must reimburse 50% of  
46 the reimbursement amount.

48 3. Reduction of 151 to 250 positions. If the person  
50 reduces its workforce by 151 to 250 positions, it must reimburse  
52 75% of the reimbursement amount.

54 4. Reduction of 251 or more positions. If the person  
56 reduces its workforce by 251 or more positions, it must reimburse  
58 100% of the reimbursement amount.

60 For purposes of this section, a person reduces that person's  
62 workforce if the person terminates or suspends personnel  
64 positions for more than 3 months.

66 SUMMARY

68 This bill amends the Business Equipment Tax Reimbursement  
70 program to require a person who benefits under the program to  
72 return a portion of the benefits received if the person

2 terminates or lays off a portion of that person's workforce for a  
period longer than 3 months. The percentage of the refund is  
4 based on the number of employment positions terminated or  
suspended. If the person is required to refund a portion of the  
6 reimbursement, that person may not participate in the BETR  
program for 2 years.