

MAINE STATE LEGISLATURE

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L.D. 1385

DATE: 5-16-03

(Filing No. H-406)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
121ST LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 456, L.D. 1385, Bill, "An Act To Establish the Pine Tree Development Zones Program"

Amend the amendment by striking out all of the first indented paragraph and all of the emergency preamble (page 1, lines 22 to 37 in amendment)

Further amend the amendment in the 5th indented paragraph in the first line (page 1, line 39 in amendment) by striking out the following: "Further amend" and inserting in its place the following: 'Amend'

Further amend the amendment in section 2 in that part designated "~~§5246.~~" in subsection 17 by striking out all of paragraph A (page 5, lines 4 to 7 in amendment) and inserting in its place the following:

'A. It demonstrates to the commissioner that the establishment or expansion of operations within the Pine Tree Development Zone would not occur within the State absent the availability of the Pine Tree Development Zone benefits. The Executive Director of the Bureau of Revenue Services within the Department of Administrative and Financial Services shall review the application for certification as a qualified Pine Tree Development Zone business and provide an advisory opinion to assist the commissioner in making findings under this paragraph; and'

A. 9. 13

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 456, L.D. 1385

Further amend the amendment in section 2 in that part designated "§5246." in subsection 18 in the 9th and 10th lines (page 5, lines 20 and 21 in amendment) by striking out the following: ' , calculated on a calendar year and per capita basis, '

Further amend the amendment in section 2 in that part designated "§5247." in subsection 1 in the next to last line (page 6, line 31 in amendment) by striking out the following: "The" and inserting in its place the following: 'No more than one zone may be established in each of the areas specified in paragraphs A to D, except that the'

Further amend the amendment in section 2 in that part designated "§5247." in subsection 3 by striking out all of paragraphs G to I (page 7, lines 21 to 36 in amendment) and inserting in their place the following:

'G. All property included within a Pine Tree Development Zone must meet one of the following:

(1) The property is located within a market area for which the labor market unemployment rate is greater than the state unemployment rate at the time of the application; or

(2) The property is included within a county in which the average weekly wage is below the state average weekly wage at the time of the application.

In the case of a multijurisdictional or joint application, the requirements of this paragraph are met if the combined unemployment rate of the cooperating units of local government meets the requirements of subparagraph (1) or the average weekly wage of the cooperating units of local government, on a per-employed-worker basis, meets the requirements of subparagraph (2); and

H. The restrictions contained in paragraph G may be waived for property that is contained within a labor market area that has sustained a greater than 5% loss of population or employed workers during the 3-year period immediately preceding the time of application if the loss was caused by business closings.'

Further amend the amendment in section 2 in that part designated "§5250-C." in the first paragraph in the first line (page 10, line 22 in amendment) by inserting before the following: "Not" the following: 'By January 15, 2004, the commissioner shall report to the joint standing committee of the

HOUSE AMENDMENT

Legislature having jurisdiction over economic development matters regarding rulemaking and progress in implementing Pine Tree Development Zones.'

Further amend the amendment in section 4 in that part designated "§2529." in subsection 2 in the 9th line (page 11, line 45 in amendment) by striking out the following: "assumption" and inserting in its place the following: 'assumptions'

Further amend the amendment in section 4 in that part designated "§2529." in subsection 2 in the 12th line (page 11, line 48 in amendment) by striking out the following: "but" and inserting in its place the following: 'and that'

Further amend the amendment in section 4 in that part designated "§2529." in subsection 2 in the 14th line (page 11, line 50 in amendment) by striking out the following: "Part" and inserting in its place the following: 'chapter'

Further amend the amendment in section 5 in that part designated "§5219-W." in subsection 2 in the 13th line (page 13, line 1 in amendment) by striking out the following: "assumption" and inserting in its place the following: 'assumptions'

Further amend the amendment in section 5 in that part designated "§5219-W." in subsection 2 in the 17th line (page 13, line 5 in amendment) by striking out the following: "but" and inserting in its place the following: 'and that'

Further amend the amendment in section 5 in that part designated "§5219-W." in subsection 2 in the 19th line (page 13, line 7 in amendment) by striking out the following: "Part" and inserting in its place the following: 'chapter'

Further amend the amendment by striking out all of section 8 and inserting in its place the following:

'Sec. 8. Application. That section of this Act that enacts the Maine Revised Statutes, Title 36, section 2529 applies to calendar years beginning on or after January 1, 2003. That section of this Act that enacts Title 36, section 5219-W applies to tax years beginning on or after January 1, 2003.'

Further amend the amendment by striking out all of the emergency clause (page 14, lines 11 to 13 in amendment)

SUMMARY

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4 This amendment incorporates all of the changes proposed by
6 Senate Amendment "B" to Committee Amendment "A" (S-146), except
8 that it removes that section of the amendment that would have
10 required the Executive Director of the Bureau of Revenue Services
12 within the Department of Administrative and Financial Services to
14 determine the existence of criteria necessary for a business to
16 qualify as a qualified business. Under this amendment, that
18 determination would be made by the Commissioner of Economic and
20 Community Development. Under this amendment, the Executive
22 Director of the Bureau of Revenue Services will provide an
24 advisory opinion to the commission.
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FISCAL NOTE REQUIRED
(See attached)

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SPONSORED BY: *Nancy Sullivan*
(Representative SULLIVAN)

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TOWN: Biddeford

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**121st Maine Legislature
Office of Fiscal and Program Review**

LD 1385

An Act To Establish the Pine Tree Development Zones Program



LR 2032(12)

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

Sponsor: Rep. Sullivan

Fiscal Note Required: Yes

Fiscal Note

Potential current biennium revenue decrease - General Fund

Fiscal Detail and Notes

This amendment will increase the areas eligible for designation as a Pine Tree Development Zone and may increase the revenue loss associated with this bill. The amount of the potential additional impact will depend on whether the Commissioner of Economic and Community Development designates a zone meeting the expanded definition through the application process for the 4 zones undesignated within the bill.