

MAINE STATE LEGISLATURE

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L.D. 1385

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DATE: 5-12-03

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STATE OF MAINE
SENATE
121ST LEGISLATURE
FIRST REGULAR SESSION

SENATE 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 in paragraph A in the first line (page 5, line 4 in amendment) by inserting after the following: "demonstrates" the following: 'to the Executive Director of the Bureau Revenue Services in the Department of Administrative and Financial Services'

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'

SENATE AMENDMENT

R.S.

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

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

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

8
10 (1) The property is located within a market area for
which the labor market unemployment rate is greater
12 than the state unemployment rate at the time of the
application; or

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

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

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

32
34 Further amend the amendment in section 2 in that part
designated "§5249." in subsection 1 by inserting at the end the
following:

36 'Preference must be given to multijurisdictional applications.'

38
40 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
42 following: "Not" the following: 'By January 15, 2004, the
commissioner shall report to the joint standing committee of the
44 Legislature having jurisdiction over economic development matters
regarding rulemaking and progress in implementing Pine Tree
46 Development Zones.'

48 Further amend the amendment in section 4 in that part
designated "§2529." in subsection 2 in the 9th line (page 11,

SENATE AMENDMENT

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

This amendment:

1. Limits the number of Pine Tree Development Zones that
the Commissioner of Economic and Community Development may
establish in each region;

2. Changes the eligibility standards for zone designation by allowing the property to meet the requirements by having either an unemployment rate higher than the state rate or being located in a county in which the average weekly wage is lower than the state average;

3. Clarifies terminology regarding average weekly wages and workforce;

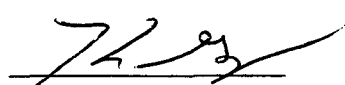
4. Clarifies the procedure for determining the apportioned credit for taxes paid;

5. Requires that preference be given to multijurisdictional applications and specifies how multijurisdictional applicants meet the requirements of unemployment rate and average weekly wage;

6. Requires the Commissioner of Economic and Community Development to report back to the Joint Standing Committee on Business, Research and Economic Development regarding rulemaking and other progress in implementing Pine Tree Development Zones; and

7. Removes the emergency preamble and the emergency clause and provides for the application of the tax credits for years beginning on or after January 1, 2003.

FISCAL NOTE REQUIRED
(See attached)

SPONSORED BY: 
(Senator GAGNON)

COUNTY: Kennebec