

MAINE STATE LEGISLATURE

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DATE: 5-22-03

(Filing No. S-231)

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STATE OF MAINE
SENATE
121ST LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT "C" 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 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 department shall investigate whether the business has met the requirements of this paragraph and provide an advisory opinion to the Executive Director of the Bureau of Revenue Services in the Department of Administrative and Financial Services, who shall make the final determination; and'

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."

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2 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:
4 "The" and inserting in its place the following: 'No more than
one zone may be established in each of the areas specified in
6 paragraphs A to D, except that the'

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

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

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

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

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

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

40 Further amend the amendment in section 2 in that part
designated "~~§5250-C.~~" in the first paragraph in the first line
42 (page 10, line 22 in amendment) by inserting before the
following: "Not" the following: 'By January 15, 2004, the
44 commissioner shall report to the joint standing committee of the
Legislature having jurisdiction over economic development matters
46 regarding rulemaking and progress in implementing Pine Tree
Development Zones.'

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

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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)

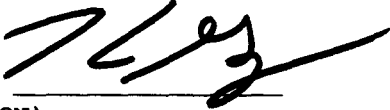
SUMMARY

This amendment incorporates all of the changes proposed by
Senate Amendment "B" to Committee Amendment "A" (S-146), except
that it requires the Department of Economic and Community
Development to investigate whether the establishment or expansion
of a business within a Pine Tree Development Zone would not occur
but for the availability of the Pine Tree Development Zone

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benefits. The department is required to issue an advisory
opinion regarding the results of its investigation to the
Executive Director of the Bureau of Revenue Services in the
Department of Administrative and Financial Services, who is
required to make a final determination whether the business has
met this requirement.

FISCAL NOTE REQUIRED
(See attached)

SPONSORED BY: 
(Senator GAGNON)

COUNTY: Kennebec

SENATE AMENDMENT

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



LD 1385

An Act To Establish the Pine Tree Development Zones Program

LR 2032(13)

Fiscal Note for Senate Amendment "C" to Committee Amendment "A"

Sponsor: Sen. Gagnon

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.