

# MAINE STATE LEGISLATURE

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Date: 3-19-12

(Filing No. S- 453)

**TAXATION**

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**STATE OF MAINE**

**SENATE**

**125TH LEGISLATURE**

**SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ **A** ” to S.P. 552, L.D. 1653, Bill, “An Act To Make Fisheries and Wildlife Projects Eligible for Tax Increment Financing”

Amend the bill by striking out the title and substituting the following:

**'An Act To Make Fisheries and Wildlife and Marine Resources Projects Eligible for Tax Increment Financing'**

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

**Sec. 1. 30-A MRSA §5222, sub-§10-A** is enacted to read:

**10-A. Fisheries and wildlife or marine resources project.** "Fisheries and wildlife or marine resources project" means a project approved by the Department of Inland Fisheries and Wildlife or the Department of Marine Resources undertaken for the purpose of improving public access to freshwater or saltwater fisheries and wildlife resources of the State for fishing, hunting, research or observation or for conservation or improvement of the freshwater or saltwater fisheries and wildlife resources of the State.

**Sec. 2. 30-A MRSA §5223, sub-§3, ¶A**, as amended by PL 2007, c. 413, §3, is further amended to read:

A. At least 25%, by area, of the real property within a development district must meet at least one of the following criteria:

- (1) Must be a blighted area;
- (2) Must be in need of rehabilitation, redevelopment or conservation work including a fisheries and wildlife or marine resources project; or
- (3) Must be suitable for commercial or arts district uses.

**Sec. 3. 30-A MRSA §5225, sub-§1, ¶C**, as amended by PL 2011, c. 101, §14 and c. 102, §1, is repealed and the following enacted in its place:

**COMMITTEE AMENDMENT**

1           C. Costs related to economic development, environmental improvements, fisheries  
2           and wildlife or marine resources projects, recreational trails or employment training  
3           within the municipality or plantation, including, but not limited to:

4           (1) Costs of funding economic development programs or events developed by  
5           the municipality or plantation or funding the marketing of the municipality or  
6           plantation as a business or arts location;

7           (2) Costs of funding environmental improvement projects developed by the  
8           municipality or plantation for commercial or arts district use or related to such  
9           activities;

10          (3) Funding to establish permanent economic development revolving loan funds  
11          or investment funds;

12          (4) Costs of services to provide skills development and training for residents of  
13          the municipality or plantation. These costs may not exceed 20% of the total  
14          project costs and must be designated as training funds in the development  
15          program;

16          (5) Quality child care costs, including finance costs and construction, staffing,  
17          training, certification and accreditation costs related to child care;

18          (6) Costs associated with new or existing recreational trails determined by the  
19          department to have significant potential to promote economic development,  
20          including, but not limited to, costs for multiple projects and project phases that  
21          may include planning, design, construction, maintenance, grooming and  
22          improvements with respect to new or existing recreational trails, which may  
23          include bridges that are part of the trail corridor, used all or in part for all-terrain  
24          vehicles, snowmobiles, hiking, bicycling, cross-country skiing or other related  
25          multiple uses;

26          (7) Costs associated with a new or expanded transit service, limited to:

27               (a) Transit service capital costs, including but not limited to: transit vehicles  
28               such as buses, ferries, vans, rail conveyances and related equipment; bus  
29               shelters and other transit-related structures; and benches, signs and other  
30               transit-related infrastructure; and

31               (b) In the case of transit-oriented development districts, ongoing costs of  
32               adding to an existing transit system or creating a new transit service and  
33               limited strictly to transit operator salaries, transit vehicle fuel and transit  
34               vehicle parts replacements; and

35          (8) Costs associated with the development of fisheries and wildlife or marine  
36          resources projects; and

37           **Sec. 4. Fisheries and wildlife or marine resources projects; rules.** The  
38           Department of Inland Fisheries and Wildlife, in consultation with the Department of  
39           Economic and Community Development, shall adopt rules establishing standards and a  
40           process for approval of fisheries and wildlife projects eligible for tax increment financing  
41           under the Maine Revised Statutes, Title 30-A, chapter 206. The Department of Marine

1 Resources, in consultation with the Department of Economic and Community  
2 Development, shall adopt rules establishing standards and a process for approval of  
3 marine resources projects eligible for tax increment financing under the Maine Revised  
4 Statutes, Title 30-A, chapter 206. Rules adopted pursuant to this section are routine  
5 technical rules as defined in Title 5, chapter 375, subchapter 2-A.

6 **Sec. 5. Appropriations and allocations.** The following appropriations and  
7 allocations are made.

8 **INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**  
9 **Fisheries and Hatcheries Operations 0535**

10 Initiative: Provides one-time funding for rule-making costs associated with establishing  
11 standards and a process for approval of fisheries and wildlife projects eligible for tax  
12 increment financing.

13	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
14	All Other	\$0	\$7,000
15			
16	<b>GENERAL FUND TOTAL</b>	<hr/>	<hr/>
17		\$0	\$7,000

18 **SUMMARY**

19 This amendment replaces the bill and changes the title. It authorizes the use of tax  
20 increment financing for marine resources projects approved by the Department of Marine  
21 Resources in addition to projects approved by the Department of Inland Fisheries and  
22 Wildlife, as authorized in the bill. It adds marine resources projects to the types of tax  
23 increment projects that may be undertaken for the purpose of improving public access to  
24 fisheries and to the wildlife resources of the State for fishing, hunting, research or  
25 observation or for conservation or improvement of the fisheries and wildlife resources of  
26 the State. It requires the Department of Marine Resources to adopt rules for establishing  
27 the standards for the approval of marine resources projects eligible for tax increment  
28 financing. The amendment also adds an appropriations and allocations section.

29 **FISCAL NOTE REQUIRED**

30 **(See attached)**



# 125th MAINE LEGISLATURE

LD 1653

LR 2520(02)

## An Act To Make Fisheries and Wildlife Projects Eligible for Tax Increment Financing

Fiscal Note for Bill as Amended by Committee Amendment "A" **S-453**

Committee: Taxation

Fiscal Note Required: Yes

### Fiscal Note

	FY 2011-12	FY 2012-13	Projections FY 2013-14	Projections FY 2014-15
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$7,000	\$0	\$0
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$7,000	\$0	\$0

#### Fiscal Detail and Notes

The bill includes a one-time General Fund appropriation of \$7,000 to the Department of Inland Fisheries and Wildlife in fiscal year 2012-13 for rulemaking costs associated with establishing standards and a process for approval of fisheries and wildlife projects eligible for tax increment financing. This analysis assumes the department would need to hold 3-4 public hearings and incur costs related to meeting room rental and advertising.

Additional costs to the Department of Economic and Community Development associated with conducting the required review and with rulemaking can be absorbed within existing budgeted resources.