

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 116

H.P. 98

House of Representatives, January 29, 2013

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### **An Act To Amend the Laws Governing Pine Tree Development Zones To Require Payment of a Livable Wage**

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Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative SHAW of Standish.  
Cosponsored by Senator DUTREMBLE of York and  
Representatives: COTTA of China, DION of Portland, McCLELLAN of Raymond,  
TIMBERLAKE of Turner, VOLK of Scarborough, Senators: HASKELL of Cumberland,  
VALENTINO of York.

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

2 **Sec. 1. 26 MRSA §1406**, as enacted by PL 2011, c. 569, §3, is amended to read:

3 **§1406. Calculation of livable wage**

4 By July 1, 2013 and biennially thereafter, the department shall calculate the livable  
5 wage and develop a basic needs budget for households in this State and in each of the  
6 State's counties based on, at a minimum, a 2-parent household with 2 earners and 2  
7 children representative family size, ~~but only if funding has been appropriated for these~~  
8 ~~purposes.~~

9 By December 1, 2013 and biennially thereafter, the department shall report the  
10 livable wages calculated and the basic needs budget for households developed pursuant to  
11 this section to the Legislature ~~if funds have been appropriated for these purposes.~~

12 **Sec. 2. 30-A MRSA §5250-I, sub-§18**, as amended by PL 2005, c. 351, §4 and  
13 affected by §26, is further amended to read:

14 **18. Qualified Pine Tree Development Zone employees.** "Qualified Pine Tree  
15 Development Zone employees" means new, full-time employees hired in this State by a  
16 qualified Pine Tree Development Zone business for work directly in one or more  
17 qualified business activities for whom a retirement program subject to the Employee  
18 Retirement Income Security Act of 1974, 29 United States Code, Sections 101 to 1461, as  
19 amended, and group health insurance are provided and ~~whose income derived from~~  
20 ~~employment within the Pine Tree Development Zone, calculated on a calendar year basis,~~  
21 ~~is greater than the most recent annual per capita personal income in~~ who are paid at least  
22 a livable wage for the county in which the qualified employee is employed as calculated  
23 by the Department of Labor pursuant to Title 26, section 1406 for a 2-parent household  
24 with 2 earners and 2 children representative family size. "Qualified Pine Tree  
25 Development Zone employees" does not include employees shifted to a qualified  
26 business activity from a nonqualified activity of the qualified Pine Tree Development  
27 Zone business or an affiliated business. The commissioner shall determine whether a  
28 shifting of employees has occurred.

29 **Sec. 3. 30-A MRSA §5250-S, sub-§1, ¶B**, as amended by PL 2007, c. 468, §1,  
30 is further amended to read:

31 B. Makes a written commitment to expand its business at one of its current locations  
32 in the State by adding at the location of expansion a minimum of 4 net new, full-time  
33 employees for whom a retirement program subject to the federal Employee  
34 Retirement Income Security Act of 1974, 29 United States Code, Sections 1001 to  
35 1461, as amended, and group health coverage are provided and ~~whose income~~  
36 ~~derived from employment at the business's location of expansion, calculated on a~~  
37 ~~calendar year basis, is greater than the most recent annual per capita personal income~~  
38 ~~in~~ who are paid at least a livable wage for the county in which the employee is  
39 employed as calculated by the Department of Labor pursuant to Title 26, section  
40 1406 for a 2-parent household with 2 earners and 2 children representative family  
41 size; and

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**SUMMARY**

This bill requires that a qualified employee under the Pine Tree Development Zone program be paid at least a livable wage for the county in which the employee is employed. Current law requires that such an employee be paid an amount greater than the annual per capita personal income for the county in which the employee is employed. This bill also requires the Department of Labor to calculate the livable wage biennially by county and statewide. Current law requires the department to calculate the statewide livable wage only if funding has been appropriated for that purpose.