

# MAINE STATE LEGISLATURE

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L.D. 1835

Date: 4/10/14

(Filing No. S-517)

### LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE  
SENATE  
126TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "B" to S.P. 738, L.D. 1835, Bill, "An Act To Improve Maine's Ability To Attract Major Private Investments"

Amend the bill in section 4 by striking out all of subsection 49-K and inserting the following:

**49-K. Transformational business expansion project.** "Transformational business expansion project" means, when done by a qualified transformational expansion project business pursuant to Title 30-A, section 5250-J, subsection 4-D, the construction, development, rehabilitation, expansion, modernization or acquisition of any building, structure, system, machinery, equipment or facility in a military redevelopment zone, as defined in Title 30-A, section 5250-I, subsection 11-A, that has a projected cost of \$50,000,000 or more and the operation of which is projected to result in a net gain of at least 1,500 job opportunities. "Transformational business expansion project" does not include an electric rate stabilization project or a project primarily involved in the provision of housing or retail sales to consumers.'

Amend the bill in section 6 in subsection 6 by striking out all of paragraph B (page 2, lines 32 to 38 in L.D.) and inserting the following:

'B. The sum of ~~\$120,000,000~~ \$620,000,000 consisting of not more than \$100,000,000 for loans and up to \$20,000,000 for use of bond proceeds to fund capital reserve funds for revenue obligation securities issued pursuant to this subchapter relating to loans for major business expansion projects and not more than \$400,000,000 for loans and up to \$100,000,000 for use of bond proceeds to fund capital reserve funds for revenue obligation securities issued pursuant to this subchapter relating to loans for transformational business expansion projects;'

Amend the bill by striking out all of sections 8 to 15 and inserting the following:

'Sec. 8. 26 MRSA §2031, sub-§5, ¶I is enacted to read:

I. That the applicant has been certified as a qualified transformational expansion project business pursuant to Title 30-A, section 5250-J, subsection 4-D.

# COMMITTEE AMENDMENT

1           **Sec. 9. 26 MRSA §2031, sub-§8**, as amended by PL 2009, c. 213, Pt. JJJ, §1, is  
2 further amended to read:

3           **8. Eligibility for funding.** Applicants eligible to receive funding from the program  
4 include, but are not limited to, employers, qualified transformational expansion project  
5 businesses certified pursuant to Title 30-A, section 5250-J, subsection 4-D, regional and  
6 local economic development agencies or partnerships, community-based organizations,  
7 job training service providers, registered apprenticeship service providers, local adult  
8 education providers and postsecondary education institutions.

9           An applicant that is not a business shall demonstrate, in partnership with a business or a  
10 consortium of businesses, the ability to link training services with actual job creation,  
11 expansion, upgrade or retention. Training provided under this section is considered  
12 approved training under the unemployment insurance laws and the laws regarding  
13 dislocated workers administered by the Department of Labor.

14           Training funds authorized under this section must be paid to the employer on a  
15 reimbursement basis.

16           **Sec. 10. 30-A MRSA §5250-J, sub-§4-D** is enacted to read:

17           **4-D. Qualified transformational expansion project business.** A business certified  
18 under this subsection as a qualified transformational expansion project business qualifies  
19 for the incentives provided by this subsection with respect to the business activities for  
20 which certification has been granted.

21           A. As used in this subsection, unless the context otherwise indicates, the following  
22 terms have the following meanings.

23           (1) "Employment" means, for each calendar year, the amount determined by  
24 adding the total number of qualified employees of a certified applicant on each of  
25 6 consecutive measurement days of that calendar year as chosen by the certified  
26 applicant and then dividing that sum by 6.

27           (2) "Full-time employee" means a person who works at least 36 hours per week.

28           (3) "Incentives" means:

29           (a) The income tax credit for investment in a qualified transformational  
30 expansion project business pursuant to Title 36, section 5219-KK;

31           (b) The sales tax exemption under Title 36, section 1760, subsection 96 and  
32 the reimbursement of sales tax pursuant to Title 36, section 2021;

33           (c) Reimbursement of Maine income tax withholding pursuant to Title 36,  
34 section 6754, subsection 1, paragraph E;

35           (d) Consideration for long-term, credit-enhanced financing pursuant to Title  
36 10, chapter 110, subchapter 3;

37           (e) Workforce development training and recruitment assistance pursuant to  
38 the Governor's Jobs Initiative Program established pursuant to Title 26,  
39 chapter 25, subchapter 4; and

- 1                   (f) Energy cost reimbursement pursuant to Title 35-A, section 10109.
- 2           (4) "Qualified employee" means an individual:
- 3                   (a) Who is employed as a full-time employee of a qualified transformational  
4                   expansion project business and is employed as a direct result of the project,  
5                   excluding an employee or position shifted by the employer to the project  
6                   location from another location in the State;
- 7                   (b) Whose income from employment under division (a) is taxable under  
8                   Title 36, chapter 803;
- 9                   (c) For whom a retirement program is provided subject to the federal  
10                   Employee Retirement Income Security Act of 1974, 29 United States Code,  
11                   Sections 101 to 1461, as amended;
- 12                   (d) For whom health insurance is available; and
- 13                   (e) Whose income calculated on a calendar year basis is greater than the  
14                   most recent per capita annual income in the State as determined by the  
15                   United States Department of Commerce.
- 16           (5) "Qualified investment" means expenditures incurred by a qualified  
17           transformational expansion project business on or after October 1, 2014.
- 18           (6) "Qualified transformational expansion project business" means a business  
19           located in a military redevelopment zone that is a qualified Pine Tree  
20           Development Zone business that has an active certificate of qualification  
21           pursuant to paragraph B, subparagraph (2).
- 22           B. This paragraph governs the procedures for application for and approval and  
23           revocation of certification as a qualified transformational expansion project business.
- 24                   (1) In addition to an application for certification as a qualified Pine Tree  
25                   Development Zone business under section 5250-O, a business must submit an  
26                   application to the commissioner to receive incentives under this subsection. The  
27                   business must propose to make a qualified investment of at least \$50,000,000 in,  
28                   and add at least 1,500 qualified employees at, a military redevelopment zone  
29                   within 10 years from the date of certification under subparagraph (2). The  
30                   business must demonstrate that the qualified investment would not occur absent  
31                   the availability of the incentives made available under this subsection. For  
32                   purposes of this subsection, employees added or that will be added for  
33                   certification as a qualified Pine Tree Development Zone business must be added  
34                   with respect to the project for which the business is certified as a qualified  
35                   transformational expansion project business under this subsection. The  
36                   application must contain information, in a form prescribed by the commissioner,  
37                   demonstrating that the business meets the requirements for a qualified  
38                   transformational expansion project business.
- 39                   (2) Upon review and determination by the commissioner that a business meets  
40                   the requirements for certification as a qualified transformational expansion  
41                   project business, the commissioner shall issue a certificate of qualification to the

## **COMMITTEE AMENDMENT**

1           business that includes a description of the qualified business activity for which  
2           the certificate is being issued. Prior to issuing a certificate of qualification, the  
3           commissioner must find that the business activity will not result in a substantial  
4           detriment to existing businesses in the State. In order to make this determination,  
5           the commissioner shall consider those factors the commissioner determines  
6           necessary to measure and evaluate the effect of the proposed business activity on  
7           existing businesses, including whether any adverse economic effect of the  
8           proposed business activity on existing businesses is outweighed by the  
9           contribution to the economic well-being of the State. The State Economist must  
10          review applications under this subsection and provide an advisory opinion to  
11          assist the commissioner in making findings under this subsection.

12          (3) If the business does not invest at least \$25,000,000 and hire at least 750  
13          qualified employees within 5 years of the date of the certificate issued under this  
14          subsection, the commissioner shall revoke the certificate issued under this  
15          subsection. If the business does not invest at least \$50,000,000 and hire at least  
16          1,500 qualified employees within 10 years of the date of the certificate issued  
17          under this subsection, the commissioner shall revoke the certificate issued under  
18          this subsection.

19          A business whose certificate issued under this subsection has been revoked does  
20          not qualify for Pine Tree Development Zone incentives beyond 10 years from the  
21          date the certificate was issued and continues to be responsible for fulfilling  
22          responsibilities under any long-term, credit-enhanced financing received under  
23          Title 10, chapter 110, subchapter 3.

24          A business that is certified under this subsection may not be certified and receive  
25          incentives under this subsection beyond 20 years from the date of certification.

26          C. The commissioner and the Commissioner of Labor shall work with other agencies  
27          across State Government involved in employment or skills training to identify and  
28          marshal the necessary financial resources to assist a qualified transformational  
29          expansion project business who makes a qualified investment in recruiting and  
30          training qualified employees.

31          D. On or before March 1st of each year a qualified transformational expansion  
32          project business, on forms prescribed by the commissioner, shall file a report with the  
33          commissioner and the State Tax Assessor for the immediately preceding calendar  
34          year, referred to in this paragraph as "the report year," that contains the following  
35          information:

36                 (1) The employment of the qualified transformational expansion project business  
37                 for the calendar year immediately preceding the report year; and

38                 (2) The incremental level of qualified investments made for the calendar year  
39                 immediately preceding the report year.

40          The commissioner shall audit the report filed under this paragraph to ensure  
41          continued eligibility for the incentives provided under this subsection.

1       E. The commissioner shall report to the joint standing committee of the Legislature  
2       having jurisdiction over taxation matters and the joint standing committee of the  
3       Legislature having jurisdiction over labor, commerce, research and economic  
4       development matters aggregate annual data on employment levels and qualified  
5       investment amounts of qualified transformational expansion project businesses under  
6       this subsection. The report must be made by March 15th of the first regular session of  
7       each Legislature beginning with the 128th Legislature.

8       F. A qualified transformational expansion project business, when awarding contracts,  
9       purchasing supplies or subcontracting work related to a qualified investment, shall  
10       give preference, to the greatest extent possible, to Maine resident individuals,  
11       companies and bidders provided the supplies, products and bids meet the standards  
12       required by the qualified transformational expansion project business for best value,  
13       including, without limitation, quality and delivery, and are competitively priced. The  
14       qualified transformational expansion project business, in conjunction with the  
15       department, shall sponsor regional seminars for Maine businesses on how to do  
16       business with the qualified transformational expansion project business.

17       **Sec. 11. 35-A MRSA §10109, sub-§4, ¶A,** as amended by PL 2013, c. 369, Pt.  
18       A, §15, is further amended to read:

19       A. During fiscal years 2013-14, 2014-15 and 2015-16, not less than 50% of the trust  
20       funds received during those years must be allocated for measures, investments and  
21       arrangements that reduce electricity consumption or reduce greenhouse gas emissions  
22       and lower energy costs at commercial or industrial facilities, and 35% of the funds  
23       received by the trust fund during those years must be used for investment in measures  
24       that lower residential heating energy demand and reduce greenhouse gas emissions.  
25       The measures that lower residential heating demand must be fuel-neutral and may  
26       include, but are not limited to, energy efficiency improvements to residential  
27       buildings and upgrades to efficient heating systems that will reduce residential energy  
28       costs and greenhouse gas emissions, as determined by the board. The trust shall  
29       transfer to the commission 15% of funds received by the trust fund during fiscal years  
30       2013-14, 2014-15 and 2015-16, which the commission shall ~~direct transmission and~~  
31       ~~distribution utilities to~~ disburse as reimbursement to qualified business projects in  
32       accordance with paragraph A-1; to the extent those funds are not needed for such  
33       reimbursement, the commission shall direct transmission and distribution utilities to  
34       disburse the funds to ratepayers in a manner that provides maximum benefit to the  
35       Maine economy. Subject to the apportionment pursuant to this subsection, the trust  
36       shall fund conservation programs that give priority to measures with the highest  
37       benefit-to-cost ratio, as long as cost-effective collateral efficiency opportunities are  
38       not lost, and that:

39               (1) Reliably reduce greenhouse gas production and heating energy costs by fossil  
40               fuel combustion in the State at the lowest cost in funds from the trust fund per  
41               unit of emissions; or

42               (2) Reliably reduce the consumption of electricity in the State at the lowest cost  
43               in funds from the trust fund per kilowatt-hour saved.

44       **Sec. 12. 35-A MRSA §10109, sub-§4, ¶A-1** is enacted to read:

# COMMITTEE AMENDMENT

1 A-1. The trust fund must be expended to reimburse qualified business projects for  
2 certain electricity supply costs in accordance with this paragraph.

3 (1) To qualify for reimbursement under this paragraph, the business project  
4 must:

5 (a) Be a qualified transformational expansion project business certified  
6 pursuant to Title 30-A, section 5250-J, subsection 4-D; and

7 (b) Pay a per kilowatt-hour rate for electricity supply that exceeds the  
8 national average industrial rate, as published by the United States Energy  
9 Information Administration.

10 (2) A qualified business project is eligible to receive reimbursement from the  
11 trust fund up to an amount equal to the amount the qualified business project paid  
12 for electricity supply that exceeded the national average industrial rate, as  
13 verified and certified by the commission in accordance with the rules adopted by  
14 the commission. The qualified business project may receive the reimbursement  
15 for up to 5 years following certification pursuant to Title 30-A, section 5250-J,  
16 subsection 4-D.

17 (3) The total reimbursement provided under this paragraph annually may not  
18 exceed 15% of the revenue deposited into the trust fund in any fiscal year. If the  
19 total amount needed to reimburse all qualified business projects exceeds 15% of  
20 the revenue deposited into the trust fund in any fiscal year, the funds must be  
21 disbursed based upon a qualified business project's pro rata share of the  
22 electricity consumed by all qualified business projects in that fiscal year.

23 Rules adopted pursuant to this paragraph are routine technical rules pursuant to Title  
24 5, chapter 375, subchapter 2-A.

25 **Sec. 13. 36 MRSA §1760, sub-§96** is enacted to read:

26 **96. Sales of tangible personal property and transmission and distribution of**  
27 **electricity to a qualified transformational expansion project business. Sales of**  
28 **tangible personal property and sales of the transmission and distribution of electricity to a**  
29 **qualified transformational expansion project business, as defined in Title 30-A, section**  
30 **5250-J, subsection 4-D, for use directly and primarily in a qualified investment, as**  
31 **defined in Title 30-A, section 5250-J, subsection 4-D. The exemption provided by this**  
32 **subsection is limited for each qualified transformational expansion project business to**  
33 **sales occurring within the 20-year period beginning on the date the qualified**  
34 **transformational expansion project business is certified under Title 30-A, section 5250-J,**  
35 **subsection 4-D. As used in this subsection, "primarily" means more than 50% of the time**  
36 **during the period that begins on the date on which the property is first placed in service**  
37 **by the purchaser and ends 2 years from that date or at the time the property is sold,**  
38 **scrapped, destroyed or otherwise permanently removed from service by the purchaser,**  
39 **whichever occurs first.**

40 **Sec. 14. 36 MRSA §2021** is enacted to read:

1 §2021. Reimbursement of certain taxes related to qualified transformational  
2 expansion project businesses

3 **1. Definitions.** As used in this section, unless the context otherwise indicates,  
4 "qualified investment" and "qualified transformational expansion project business" have  
5 the same meanings as in Title 30-A, section 5250-J, subsection 4-D, paragraph A.

6 **2. Reimbursement allowed.** A reimbursement is allowed as provided in this section  
7 for a tax paid pursuant to this Part with respect to the sale or use of tangible personal  
8 property that is physically incorporated in and becomes a permanent part of real property  
9 that is owned by or sold to a qualified transformational expansion project business.

10 **3. Claim for reimbursement.** Claims under this section for reimbursement of taxes  
11 are controlled by this subsection.

12 A. A claim for reimbursement under this section must be filed by a contractor or  
13 subcontractor of a qualified transformational expansion project business with the  
14 assessor within 3 years from the date on which the tangible personal property was  
15 incorporated into real property. The reimbursement claim must be submitted on a  
16 form prescribed by the assessor and must be accompanied by a statement from a  
17 qualified transformational expansion project business certifying, under penalties of  
18 perjury, that the personal property with respect to which the tax was paid by the  
19 claimant has been placed in use directly and primarily in real property directly related  
20 to the project for which the qualified transformational expansion project business is  
21 certified. All records pertaining to that certification and to the transactions in question  
22 must be retained for at least 6 years by the contractor or subcontractor, by the  
23 qualified transformational expansion project business and by the person, if any, that  
24 sold the real property in question. The reimbursement claim must be accompanied by  
25 such additional information as the assessor may require. If a sales or use tax is  
26 included in the contractor's or subcontractor's contract price, the contractor or  
27 subcontractor shall file, at the request of the qualified transformational expansion  
28 project business, a claim for reimbursement in accordance with this section and pay  
29 the reimbursement to the qualified transformational expansion project business.

30 B. If, by agreement between the contractor or subcontractor and the qualified  
31 transformational expansion project business, the contractor or subcontractor assigns  
32 its right to claim and receive reimbursement, the qualified transformational expansion  
33 project business must file a claim for reimbursement in accordance with this  
34 subsection. A reimbursement may not be issued to the qualified transformational  
35 expansion project business under this paragraph unless the contractor or  
36 subcontractor has previously submitted to the bureau a certificate, signed by the  
37 contractor or subcontractor, releasing the contractor's or subcontractor's claim to the  
38 reimbursement. The certificate must be in a format prescribed by the assessor.

39 **4. Limitations.** Limitations on reimbursements made pursuant to this section are as  
40 set out in this subsection.

41 A. Reimbursements made by the assessor pursuant to this section are limited to taxes  
42 paid in connection with sales of tangible personal property that occur within a 20-  
43 year period beginning on the date the qualified transformational expansion project  
44 business is certified under Title 30-A, section 5250-J, subsection 4-D.



1 B. Reimbursement pursuant to this section of taxes paid in connection with the sale  
2 of tangible personal property subsequently incorporated into real property may not be  
3 made when those real property improvements:

4 (1) Are owned by more than one person prior to their acquisition by the qualified  
5 transformational expansion project business whose certification accompanies the  
6 reimbursement claim pursuant to subsection 3; or

7 (2) Have been used for a business purpose by a person other than the qualified  
8 transformational expansion project business whose certification accompanies the  
9 reimbursement claim pursuant to subsection 3.

10 5. Audit. The assessor has the authority to audit any claim filed under this section.  
11 If the assessor determines that the amount of the claimed reimbursement is incorrect, the  
12 assessor shall redetermine the claim and notify the claimant in writing of the  
13 redetermination. If the claimant has received reimbursement of an amount that the  
14 assessor concludes should not have been reimbursed, the assessor may issue an  
15 assessment for that amount within 3 years from the date the reimbursement claim was  
16 filed or paid, whichever is later, or at any time if a fraudulent reimbursement claim was  
17 filed. The claimant may seek reconsideration, pursuant to section 151, of the  
18 redetermination or assessment.

19 6. Payment of claims. The assessor shall determine the benefit for each claimant  
20 under this section. The assessor shall pay those amounts to each qualified  
21 transformational expansion project business qualifying for the benefit under this section  
22 within 30 days after receipt of a properly completed claim. Interest is not allowed on any  
23 payment made to a claimant pursuant to this section.

24 **Sec. 15. 36 MRSA §5219-W, sub-§4**, as amended by PL 2009, c. 627, §11, is  
25 further amended to read:

26 **4. Limitation.** The credit provided by this section may not be claimed for tax years  
27 beginning on or after January 1, 2029. A person eligible for the credit under section  
28 5219-KK for a taxable year may not claim the credit under this section for that taxable  
29 year.

30 **Sec. 16. 36 MRSA §5219-KK** is enacted to read:

31 **§5219-KK. Credit for qualified transformational expansion project business**

32 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
33 following terms have the following meanings.

34 A. "Payroll" means the total amount paid in this State during the tax period by the  
35 taxpayer for compensation, including wages, pretax employee contributions made to  
36 a benefit package and employer contributions made to an employee benefit package.

37 B. "Property" means the average value of the taxpayer's real and tangible personal  
38 property that is owned or rented and used during the tax period. Property owned by  
39 the taxpayer is valued at its original cost. Property rented by the taxpayer is valued at  
40 8 times the annual rental rate paid by the taxpayer.

1 C. "Qualified transformational expansion project business" means a business  
2 certified under Title 30-A, section 5250-J, subsection 4-D.

3 **2. Credit allowed.** Notwithstanding any other provision of law, a taxpayer that is a  
4 qualified transformational expansion project business is allowed a credit in the amount of:

5 A. One hundred percent of the tax that would otherwise be due under this Part for  
6 each of the first 10 tax years beginning with the tax year in which the taxpayer is  
7 certified pursuant to Title 30-A, section 5250-J, subsection 4-D; and

8 B. Fifty percent of the tax that would otherwise be due under this Part for each of the  
9 10 tax years following the time period in paragraph A.

10 **3. Apportioned credit in certain circumstances.** In the case of a qualified  
11 transformational expansion project business that engages in both qualified and  
12 nonqualified transformational expansion project business activities in this State, the credit  
13 provided for in this section is limited to that portion that is attributable to the qualified  
14 transformational expansion project business activity. The limitation is calculated by an  
15 apportionment. The apportionment is determined by a fraction, the numerator of which is  
16 the property value plus the payroll for the taxable year attributed to the qualified  
17 transformational expansion project business activity of the business and the denominator  
18 of which is the statewide property value plus payroll for the taxable year of the qualified  
19 transformational expansion project business.

20 If the qualified transformational expansion project business is a taxable corporation that  
21 has affiliated groups, as defined in section 5102, subsection 1-B, engaged in a unitary  
22 business, as defined in section 5102, subsection 10-A, the property and payroll values in  
23 the State of the unitary affiliated groups must be included in the apportionment fraction.  
24 The resulting fraction must be multiplied by the total tax liability otherwise due under this  
25 Part of the qualified transformational expansion project business and those affiliated  
26 groups.

27 If the apportionment provisions of this subsection do not fairly reflect the amount of the  
28 credit associated with the taxpayer's qualified transformational expansion project business  
29 activity, the taxpayer may petition for, or the State Tax Assessor may require, in respect  
30 to all or any part of the taxpayer's business activity, the employment of another  
31 reasonable method to effectuate an equitable apportionment of the credit associated with  
32 the taxpayer's qualified transformational expansion project business activity.

33 **4. Members of pass-through entities.** A member of a pass-through entity that is a  
34 qualified transformational expansion project business is allowed a credit under this  
35 section based on the tax due under this Part related to items of income, gain, deduction,  
36 loss or other items required to be reported by the pass-through entity to the member. For  
37 purposes of this subsection, "pass-through entity" means a corporation that for the  
38 applicable tax year is treated as an S corporation under the Code and a partnership, trust,  
39 limited liability company or similar entity that for the applicable tax year is not taxed as a  
40 C corporation for federal tax purposes; "member" means an individual or other owner of  
41 a pass-through entity.

42 **5. Limitation.** The credit provided by this section may not be claimed for tax years  
43 beginning on or after January 1, 2035.

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**Sec. 17. 36 MRS §6754, sub-§1, ¶E** is enacted to read:

E. For a qualified transformational expansion project business certified under Title 30-A, section 5250-J, subsection 4-D, the reimbursement is equal to 80% of the Maine income tax withheld from each qualified employee during each of the first 10 calendar years for which reimbursement is requested, beginning with the calendar year during which the business is certified as a qualified transformational expansion project business under Title 30-A, section 5250-J, subsection 4-D. For each of the 11th to 20th years for which reimbursement is requested, the qualified transformational expansion project business is eligible for a reimbursement equal to 50% of the Maine income tax withheld from each qualified employee. Reimbursement may not be paid pursuant to this paragraph for calendar years beginning after December 31, 2034. As used in this paragraph, "qualified employee" has the same meaning as in Title 30-A, section 5250-J, subsection 4-D, paragraph A, subparagraph (4).'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

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This amendment, which is a minority report of the Joint Standing Committee on Labor, Commerce, Research and Economic Development, is identical to the committee's other minority report except for 2 changes. It removes the "right to refrain" provisions that prohibit requiring a person, as a condition of employment or continuation of employment at a qualified transformational expansion project business, to join a labor organization or pay any labor organization dues or fees. Additionally, the amendment removes the provision in the bill and Committee Amendment "A" that allows a qualified transformational expansion project business engaged in workforce training under the Governor's Jobs Initiative Program to be eligible for funds under the Competitive Skills Scholarship Program.

**FISCAL NOTE REQUIRED**  
**(See attached)**

**COMMITTEE AMENDMENT**



# 126th MAINE LEGISLATURE

LD 1835

LR 2786(03)

**An Act To Improve Maine's Ability To Attract Major Private Investments**

**Fiscal Note for Bill as Amended by Committee Amendment 'B' (S-517)**  
**Committee: Labor, Commerce, Research and Economic Development**  
**Fiscal Note Required: Yes**

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## Fiscal Note

Potential future biennium revenue decrease - General Fund

### Fiscal Detail and Notes

Given the parameters that need to be met in terms of investment and number of employees hired, it is estimated that any reduction in sales and use and income tax revenue through fiscal year 2016-17 would be minor and that more significant reduction would occur in later years.

Increasing the Finance Authority of Maine's revenue obligation securities limit by \$500,000,000 extends the moral obligation of the State.

Under current law the Efficiency Maine Trust must transfer 15% of funds received in the Regional Greenhouse Gas Initiative Trust Fund in fiscal years 2013-14, 2014-15 and 2015-16 to the Public Utilities Commission (PUC) to be disbursed to ratepayers. Under this bill the PUC will use that transferred money to provide reimbursements to certain qualified business projects. Any additional costs to the PUC are expected to be minor and can be absorbed within existing budgeted resources.

Additional costs to the Department of Economic and Community Development associated with the certification process can be absorbed within existing budgeted resources.