

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST REGULAR SESSION
December 5, 2012 to July 10, 2013

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
OCTOBER 9, 2013

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2013

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective May 7, 2013.

CHAPTER 74
H.P. 219 - L.D. 310

**An Act To Exempt Persons 80
Years of Age and Older from
Jury Duty at Their Discretion**

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

Sec. 1. 14 MRSA §1213, sub-§2, ¶C is enacted to read:

C. A person 80 years of age or older who does not wish to serve on a jury is excused from jury service.

See title page for effective date.

CHAPTER 75
H.P. 778 - L.D. 1109

**An Act To Clarify the Maine
New Markets Capital
Investment Program Tax
Credit**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 125th Legislature enacted the Maine New Markets Capital Investment Program to stimulate capital investment in distressed areas of the State; and

Whereas, investors seeking to make investments under the Maine New Markets Capital Investment Program require a high degree of clarity regarding the conditions on which tax credits may be available; and

Whereas, there are interested investors unwilling to make investments that will support construction of manufacturing facilities and the creation or retention of jobs due to the ambiguity of certain terms used in the Maine New Markets Capital Investment Program; and

Whereas, it is imperative that this legislation take effect immediately to allow for investments to be made in the spring of 2013; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of

the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 36 MRSA §5219-HH, sub-§1, ¶J, as amended by PL 2011, c. 657, Pt. P, §1, is further amended to read:

J. "Qualified low-income community investment" means any capital or equity investment in, or loan to, any qualified active low-income community business made after September 28, 2011. Except as otherwise provided in this paragraph, with respect to any one qualified active low-income community business, the maximum amount of qualified low-income community investments that may be made ~~in the business, on a collective basis with all of its affiliates,~~ with the proceeds of qualified equity investments that have been certified under Title 10, section 1100-Z, subsection 3, paragraph G is \$10,000,000 ~~per project constructed, maintained or operated by the qualified active low-income community business~~ whether made by one or several qualified community development entities. With respect to investments in a qualified active low-income community business that is a manufacturing or value-added production enterprise ~~that projects to create or retain more than 200 jobs,~~ the limit on the qualified low-income community investment is \$40,000,000 ~~per project constructed, maintained or operated by the qualified active low-income community business.~~ For the purposes of this paragraph, with respect to projects to which the \$10,000,000 limitation applies, "project" includes all land, buildings, structures, machinery and equipment located at the same location and constructed, maintained or operated by the qualified active low-income community business. For the purposes of this paragraph, with respect to projects to which the \$40,000,000 limitation applies, "project" means, and refers separately to, each manufacturing or value-added production facility that projects to create or retain more than 200 jobs, including the land, buildings, structures, machinery and equipment functionally related to, and integrated with, the manufacturing or production process conducted on the site of that facility. "Project" does not mean or include the component pieces of an integrated manufacturing or production process conducted on the site of a particular facility.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective May 7, 2013.