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## MAINE REVENUE SERVICES

## ANNUAL REPORT ON

## **BUSINESSES THAT**

### **RECEIVE BENEFITS FROM BOTH THE**

## **BUSINESS EQUIPMENT TAX REIMBURSEMENT (BETR)**

## <u>AND</u>

# TAX INCREMENT FINANCING (TIF) PROGRAMS REPORT FOR TAX YEAR 2007

## A REPORT PREPARED FOR THE JOINT STANDING COMMITTEE ON APPROPRIATIONS & FINANCIAL AFFAIRS AND THE JOINT STANDING COMMITTEE ON TAXATION

Adting Executive Director April 1, 2010

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### I. NARRATIVE

#### Summary:

This report, due annually on April 1<sup>st,1</sup> provides information regarding businesses receiving benefits under both the Business Equipment Tax Reimbursement ("BETR") program and the municipal tax increment financing ("TIF") district program. This report includes all businesses that filed qualifying BETR applications for reimbursement of personal property taxes and received TIF reimbursements for property taxes on the same personal property in 2007.

It should be noted that, as a result of the enactment of the law establishing the Business Equipment Tax Exemption ("BETE"), businesses will no longer be able to receive more than 100% of the actual tax paid in total reimbursements for BETR and TIFs for property placed in service after April 1, 2007. For eligible business property that is first subject to assessment on or after April 1, 2008, and for property for which BETR reimbursement has previously been paid for at least 12 years, the amount of reimbursement received under the BETR program must be reduced by the amount of taxes reimbursed under a tax increment financing district to avoid a taxpayer receiving reimbursement for more than 100% of property taxes paid.<sup>2</sup>

The specific information required by 36 M.R.S.A. § 6664 is summarized as follows:

- A list of businesses receiving reimbursement of property taxes under both the BETR program and as part of a TIF agreement;
- Total TIF district property value for each business;
- For each TIF district, the municipality involved and the property tax rate for that municipality;
- Total TIF district property taxes paid, categorized by real property and personal property;
- Total TIF credit enhancement agreement reimbursement for property taxes paid, categorized by real property and personal property;

<sup>&</sup>lt;sup>1</sup> 36 M.R.S.A. § 6664

<sup>&</sup>lt;sup>2</sup> 36 M.R.S.A. § 6652

- Total BETR reimbursement; and
- Overlap between reimbursement for property taxes on personal property under the BETR program and under a TIF agreement.

### Tax Increment Financing District - Program Summary:

TIF is a local financing tool that permits a municipality to dedicate some or all of the new property taxes that result from an investment project within a designated district to assist in that project's expenses.

Once a municipality designates a district where development will occur and a TIF will be used to assist that development, all property values in that district are "frozen" at the assessed value of the district as of March 31 of the year preceding the year in which the district was designated. This value is referred to as the "original assessed value" ("OAV"). When improvements are made within the district and value increases, the difference between the OAV and the new value represents the potential "captured assessed value" ("CAV"). CAV means the amount of increased assessed value, stated as a percentage or a sum, that is utilized from year to year to finance the project costs within the development program. CAV refers to a collective level of value and generally does not identify the values of individual property items within the district. CAV may or may not distinguish between real and personal property located in the district.

The municipality may disburse the TIF funds in various ways:

- to the taxpayer, through credit enhancement agreements whereby participating businesses receive reimbursement of a portion of property taxes paid;
- through the municipality, generally in the form of low-interest bonds used to finance new development or expansion; or
- through a combination of the two.

## Data Used to Compile Report:

Only TIF project costs paid directly to participating businesses are considered for purposes of this report.

For purposes of this report, Maine Revenue Services ("MRS") collected information with respect to property taxes assessed on April 1, 2007. Taxes assessed by municipalities are often subject to split tax bills with a portion of the tax due in one calendar year and the balance due in the next calendar year. Businesses are required to file for BETR reimbursement based on the calendar year in which the payments were made. Therefore, April 1, 2007, personal property assessments were subject to claim for payment under both the 2008 and 2009 BETR programs.

To gather information necessary for this report, MRS included a checkoff on the 2009 BETR application form (Attachment B, Form 800, line 4b) for businesses to indicate whether they received benefits under both the BETR program and a TIF program. If so, businesses were required to complete an additional worksheet. MRS received the worksheet from 48 businesses.

The worksheet required businesses to report total value of all property located within the TIF district and total CAV of all property owned by the business within a TIF district and also required the business to identify the CAV related to personal property and the amount related to real estate. Notwithstanding the difficulty identifying specific property comprising the CAV, businesses were able to provide a breakdown of CAV personal property and CAV real property. This reporting indicates that municipal assessors and businesses have been able to arrive at some method to calculate this information. No information is available regarding the methodology employed by each municipality to calculate these figures.

### MRS Adjustments to Information Provided on the Worksheet:

Much of the information provided by businesses on the BETR/TIF worksheet was tabulated and set forth in the spreadsheet that follows. A number of errors were found in the worksheets filed, primarily in the reporting of the "Extent of overlap for BETR and TIF." For example, in cases where businesses reported an amount of BETR reimbursement or TIF reimbursement that was less than the amount shown as the "overlap," MRS used the lesser of the BETR reimbursement or the TIF reimbursement amount as the "overlap" amount.

Additionally, MRS used the actual total BETR reimbursement amount paid by the State as the figure shown for the BETR reimbursement, rather than the amount of the BETR reimbursement reported by the business. Thus, the total BETR reimbursement amount shown on the spreadsheet is not limited to the amount with respect to TIF property.

## **II. SPREADSHEET INFORMATION**

#### Name of Business:

This column shows the name of the business receiving reimbursement under both the BETR and TIF programs.

#### Total Value of TIF District Property:

This number includes the OAV and the CAV of the district.

#### Municipality:

This column shows the municipality in which the business receiving reimbursement under the BETR and TIF programs is located.

#### 2007 Tax Rate:

This column shows the tax rate for the municipality.

#### 2007 Property Taxes Paid on Captured Assessed Value:

This column reflects the total property taxes paid on CAV of each TIF district. The figures in this column are not limited to the amounts forming the basis for credit enhancement agreements. Rather, this column also includes the property taxes retained by the municipality for approved project costs.

#### 2007 TIF Reimbursement:

This column is the amount of property taxes associated with CAV that is channeled directly to the taxpayer as a result of credit enhancement agreements.

#### Total BETR Reimbursement:

This is the amount of the 2008 and 2009 BETR reimbursement received by businesses that also participate in a TIF, based on the April 1, 2007, personal property tax assessments.

#### Extent of Overlap for BETR and TIF:

The amount of the overlap is the amount of the personal property tax that is reimbursed to the business by the municipality under a TIF program that was also claimed for reimbursement from the State under the 2008 and 2009 BETR programs.

36 M.R.S.A. §6664, as enacted by PL 2005, Chapter 12, Part BBB, Section BBB-5:

## §6664. Report

**1. Report to Legislature.** By April 1st annually, the State Tax Assessor shall submit to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over taxation matters a report that contains the following information with regard to persons receiving benefits under this chapter:

A. A list of persons receiving reimbursement for property taxes both under this chapter and under a tax increment financing agreement;

B. The total tax increment financing district property value for each person;

C. The municipality of each tax increment financing district and the property tax rate for that municipality;

D. The total tax increment financing district property taxes paid, categorized by real property and personal property;

E. The total of tax increment financing credit enhancement agreement reimbursement for property taxes paid categorized by real property and personal property;

F. The total reimbursement received by each person under this chapter; and

G. The extent of overlap between reimbursement for property taxes on personal property under this chapter and under a tax increment financing agreement.

**2.** Cooperation. The Department of Economic and Community Development and municipalities shall provide any information requested by the State Tax Assessor for the completion of the report required by this section.

## T.I.F. DISTRICTS / B.E.T.R. OVERLAP STUDY

## **REPORT FOR 2007 TAX YEAR**

Name of Business	Total Value of T.I.F. District Property	Municipality	2007 Tax Rate	CAPTURED	2007 ASSESSED REALTY	VALUE	CAPTURE	AID ON ED ASSE ALUE		T.I.F.	2007 REIMBURSE REALTY	MENT	2008-2009 B.E.T.R. Reimbursements Paid to Businesses Based on April 1, 2007 Property Tax Assessments	Extent of Overlap for B.E.T.R. and T.I.F.
														κ.
Acadia Insurance Company	\$13,690,100	Westbrook	0.01543	\$2,121,100	\$4,669,500	\$6,790,600	\$32,729				\$31,871	\$48,235		\$12,569
Backyard Farms LLC	\$17,124,000	Madison	0.01630	\$10,035,400	\$7,088,600	\$17,124,000		\$115,544		\$110,415	\$77,993	\$188,408		\$110,415
Bath Iron Works Corporation	\$286,760,300	Bath	0.01720	\$110,348,500	\$176,411,800	\$286,760,300		\$3,034,283		\$181,002	\$2,946,077	\$3,127,079		\$181,002
D & G Machine Products Inc DeLorme Publishing Co Inc.	\$10,472,210 \$12,210,400	Westbrook Yarmouth	0.01543	\$6,729,100 \$4,056,900	\$1,524,300 \$8,153,500	\$8,253,400 \$12,210,400	\$103,830 \$75,296	\$23,520 \$151,329	\$127,350 \$226,625	not reported \$37,648	not reported \$73,538	\$55,167 \$111,186		<u>\$55,167</u> \$37,648
Dingley Press, Inc.	\$41,761,600	Lisbon	0.01030	\$27,186,523	\$2,838,740	\$30,025,263	\$645,680	\$67,420	\$713,100	\$322,840	\$33,710	\$356,550		\$322,840
Fairchild Semiconductor Corporation	\$95,506,900	South Portland	0.01369	\$46,369,700	\$44,106,600	\$90,476,300	\$634,801	\$603,819	\$1,238,621	\$425,308	\$98,015	\$523,323		\$425,308
Formtek Inc	\$3,648,100	Clinton	0.01450	\$558,265	\$1,695,425	\$2,253,690	\$8,095	\$24,584	\$32,679	\$8,146	\$24,739	\$32,885		\$8,146
Huhtamaki Company Manufacturing	\$2,781,300	Waterville	0.02440	\$22,430,572	\$0	\$22,430,572	\$547,306	\$0		\$51,193	\$0	\$51,193		\$51,193
Interstate Bakeries Corporation	\$37,982,000	Biddeford	0.01478	\$15,000,000	\$0	\$15,000,000	\$221,700	\$0		\$74,116	\$0	\$74,116		\$72,508
Jay McCrum	\$917,170	Mars Hill	0.02000	\$112,670	\$785,258	\$897,928	\$2,253	\$15,705	\$17,959	\$1,950	\$17,959	\$19,909		\$1,950
Johnson Outdoors Watercraft, Inc (formerly Old Town Canoe)	\$8,398,100	Old Town	0.01660	\$3,484,000	\$1,639,400	\$5,123,400		\$27,214	\$85,048	\$28,917	\$13,607	\$42,524		\$28,917
Katahdin Paper Co. LLC	\$94,697,900	Millinocket	0.02120	\$80,274,595	\$218,620	\$80,493,215	\$1,701,821	\$4,635		\$1,741,959	\$4,744	\$1,746,703		\$1,741,959
Lanco Assemble Systems, Inc.	\$317,063	Westbrook Lincoln	0.01543	\$317,063	\$0	\$317,063	\$4,892	\$0		\$2,446	\$0	\$2,446		\$1,223
Lincoln Paper & Tissue, LLC	\$33,385,500 \$71,199,377	Freeport	0.01810	\$33,231,000 \$20,106,273	\$0 \$29,970,946	\$33,231,000 \$50,077,219	\$601,481 \$256,355	\$0 \$382,130		\$392,010 \$105,817	\$0 \$157,734	\$392,010 \$263,551		\$392,010 \$105,817
Madison Paper Industries	\$237,832,300	Madison	0.01273	\$12,984,458	\$29,970,940	\$12,984,458	\$211.647	\$302,130		\$126,988	\$157,754	\$126,988		\$126,988
Maine Woods Company LLC	\$10,771,000	Portage Lake	0.01750	not reported	not reported	not reported	not reported	not reported		not reported	not reported	\$126,313		
Mainely Trusses, Inc.	\$1,620,200	Fairfield	0.02340	\$765,100	\$805,600	\$1,570,700		\$18,851	\$36,754	\$4,812	\$7,388	\$12,200		\$4,812
Mid State Machine Products	\$11,555,300	Waterville	0.02440	\$11,555,300	\$0	\$11,555,300	\$281,949	\$0		\$138,790	\$0	\$138,790		\$138,790
Moose River Lumber Co.	\$13,664,050	Moose River	0.01490	\$4,274,150	\$1,634,400	\$5,908,550	\$63,685	\$24,353	\$88,037	\$59,028	\$22,572	\$81,600		\$48,007
National Semiconductor Corp	\$255,475,180	South Portland	0.01369	\$147,569,400	\$66,887,800	\$214,457,200	\$2,020,225	\$915,694	\$2,935,919	\$1,010,113	\$457,847	\$1,467,960		\$1,010,112
Nestle Waters North America Inc	\$182,134,391	Hollis	0.01100	\$120,936,806	\$61,077,585	\$182,014,391	\$1,330,305	\$671,853	\$2,002,158	\$961,144	\$485,414	\$1,446,558	\$1,811,226	\$961,144
Nestle Waters North America Inc	\$114,659,800	Poland	0.02450	\$46,969,700	\$19,733,800	\$66,703,500	\$1,150,758	\$483,478	\$1,634,236	\$369,657	\$155,307	\$524,964		\$369,657
Nichols Portland	\$34,013,320	Portland	0.01774	\$13,831,640	\$1,780,160	\$15,611,800		\$31,580	\$276,953	\$122,687	\$15,790	\$138,47		\$122,687
NRF Distributors	\$5,112,400	Augusta	0.01670	\$828,000	\$4,021,800	\$4,849,800	\$13,828	\$67,164	\$80,992	\$5,531	\$26,866	\$32,39		\$5,531
Pleasant River Lumber Co. PPSA Overseas LTD	\$11,201,963 \$5,952,400	Dover-Foxcroft Searsport	0.01558	\$6,112,000	\$4,553,800 \$2,266,600	\$10,665,800 \$6,129,300	\$95,225 \$73,005	\$70,948 \$42,839	\$166,173 \$115,844	\$55,354 \$75,298	\$0 \$73,125	\$55,354 \$148,423		<u>\$55,354</u> \$75,298
Robbins Lumber Inc	\$16,359,238	Searsmont	0.01600	\$10,219,300	\$2,200,000	\$15,615,425	\$163,509	\$86,338	\$249,847	\$100,515	\$0	\$100,515		\$89,679
SD Warren Company	\$671,392,100	Skowhegan	0.01605	\$42,551,414	\$33,183,900	\$75,735,314		\$532,602		\$506,317	\$394,853	\$901,170		\$132,769
Sensor Research & Development Corp.	\$1,273,000	Orono	0.01970	\$1,273,000	\$0	\$1,273,000	· \$25,078	\$0		\$8,454	\$0	\$8,454		\$8,454
Specialty Minerals Inc	\$16,445,790	Jay	0.01385	not reported	not reported	\$8,307,316		not reported	\$115,056	not reported	not reported	\$128,648		unable to calculate
Specialty Minerals Inc	\$6,430,309	Madison	0.01625	\$3,751,322		\$3,751,322	\$60,959	\$0		\$62,408		\$62,408		\$59,975
Specialty Minerals Inc	\$13,897,457	Millinocket	0.02420	\$3,043,955	\$0	\$3,043,955	\$73,664	\$0		\$69,103	\$0	\$69,103		\$61,298
Stratton Lumber	\$2,375,836	Eustis	0.01000	\$1,330,113	\$328,221	\$1,658,334	\$13,301	\$3,282	\$16,583	\$3,282	\$13,301	\$16,583		\$3,282
Sysco Food Services of Maine	\$9,960,500	Westbrook	0.01543	\$7,469,300	\$2,166,500	\$9,635,800	\$115,251	\$33,429		\$57,625	\$16,714	\$74,339		\$57,625
Tambrands Inc.	\$127,960,701	Auburn	0.01841	\$91,654,900	\$10,190,100	\$101,845,000	\$1,687,367	\$187,600		\$671,538	\$75,040	\$746,578		\$671,538
The Montalvo Corporation Trans-Tech Industries Inc	\$2,822,000 \$3,108,200	Gorham Brewer	0.01600	\$678,200 \$454,400	<u>\$2,143,800</u> \$2,603,600	\$2,822,000 \$3,058,000	\$10,851 \$8,202	\$34,301 \$46,995	\$45,152 \$55,197	\$5,426 \$4,554	<u>\$15,932</u> \$25,804	<u>\$21,358</u> \$30,358		\$5,387 \$4,554
True Textiles, Inc. (formerly Interface Fabric)	\$19,161,490	Guilford	0.01803	\$13,849,290	\$2,003,000	\$19,161,490	\$177,271	\$67,995		\$176,487	\$25,804	\$244,483		\$156,636
Unum Group	\$65,566,540	Portland	0.01280	\$5,324,540	\$60,242,000	\$65,566,540	\$91,050			\$72,117	\$782,986	\$855,100		\$150,050
Verso Paper	\$103,469,974	Bucksport	0.01380	\$31,754,402	\$7,318,020	\$39,072,422	\$438,211		\$539,199	\$289,265	\$66,663	\$355,928		\$289,265
Verso Paper (Hercules)	\$130,398,944	Jay	0.01385	\$86,019,680	\$409,100	\$86,428,780	\$1,191,373	\$5,666		\$1,191,373	\$5,666	\$1,197,039		\$715,993
Verso Paper. (Phoenix)	\$238,964,455		0.01385	\$132,751,742		\$132,751,742	\$1,838,612	\$0	\$1,838,612	\$1,838,611	\$0	\$1,838,61	\$2,308,400	\$1,838,611
VIP, Inc.	\$1,125,800	Gorham	0.01600	\$102,800	\$320,071	\$422,871	\$1,645	\$5,121		\$1,645	\$5,122	\$6,766		\$1,645
Volk Packaging Corporation	\$9,234,000	Biddeford	0.01478	\$3,958,300	\$5,275,700	\$9,234,000		\$77,975		\$32,356	\$42,543	\$74,899		\$32,356
Wausau Paper Specialty Products LLC	not reported	Jay	0.01385	\$4,708,496	\$0	\$4,708,496	\$65,213	\$0		\$65,212	\$0	\$65,212	\$165,481	\$65,212
Wausau Paper Specialty Products LLC	\$13,973,900		0.02030	\$1,397,390	\$0	\$1,397,390	\$28,367	\$0		\$283,670	\$0	\$283,670	\$346,446	\$283,670
ZF Lemforder Corporation	\$14,210,700	Brewer	0.01795	\$6,140,400	\$3,341,200	\$9,481,600	\$110,220	\$59,975	\$170,195	\$51,306	\$30,154	\$81,460	\$301,753	\$51,306

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PL 2005, Chapter 12, Part BBB, Section BBB-5, 36 M.R.S.A. § 6664

## <u>§6664. Report</u>

<u>1. Report to Legislature. By April 1st annually, the State Tax Assessor shall</u> submit to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over taxation matters a report that contains the following information with regard to persons receiving benefits under this chapter:

A. A list of persons receiving reimbursement for property taxes both under this chapter and under a tax increment financing agreement;

B. The total tax increment financing district property value for each person;

C. The municipality of each tax increment financing district and the property tax rate for that municipality;

D. The total tax increment financing district property taxes paid, categorized by real property and personal property;

E. The total of tax increment financing credit enhancement agreement reimbursement for property taxes paid categorized by real property and personal property;

F. The total reimbursement received by each person under this chapter; and

<u>G.</u> The extent of overlap between reimbursement for property taxes on personal property under this chapter and under a tax increment financing agreement.

2. Cooperation. The Department of Economic and Community Development and municipalities shall provide any information requested by the State Tax Assessor for the completion of the report required by this section.

		Attachment B
Form 800	BUSINESS EQUIPMENT TAX REIMBURSEMENT APPLICATION 2008	*0810700*
Et Bland	(for eligible personal property taxes paid in 2	2007)
Check if applicant is a:	Corporation LLC	Application must be filed no later than <b>December 31, 2008</b> .
If applicant is a corporation, partners	hip or LLC, enter federal EIN	
Business Name		
	ocial security number	
First Name:	M.I.: Last Name:	<u></u>
Mailing Address:		
City/Town:	State:	ZIP Code:
1. Consolidated application: YES (for property in two or more municipalities)		4b, 5, 6, 8 and 9. Lines 5, 6 and 8 must reflect palities. Do not complete lines 3 and 7. ph 9.
2. Business Code:	3. Municipal Code:	malammaad
4a. Check this box if business was started on or after April 1, 1995	1 1	ness also receives reimbursement for
Enter the following information for prop <b>2007</b> assessments. See Instructions.	erty tax payments made in calendar year 2007 Assessed April 1, 2006	based on the April 1, 2006 and/or April 1, Assessed April 1, 2007
. Original cost of eligible property		5b. \$;,;
6. Assessed value	6a. \$	6b. \$,,
7. Property tax rate	7a mils	7b mils
8. Requested Reimbursement (If Consolida Schedule is used, see instructions on page 4)	ation 8a. 🎄 , , ,	8b. \$,
9		
charges. Dated proof of tax payment a	ing into account any early payment discounts, but e and a copy of the tax bill must be included with your ints related to property not eligible for the program.	claim. Requested reimbursement must exclude
	you have your return done by a tax preparer an	international statements and statem
Tax Reimbursement booklet mailed to y	ou next year, check the box at right	
accompanying schedules and statemen	: Under penalties of perjury, I declare that I have ts and, to the best of my knowledge and belief, t icant) is based on all the information of which the Total	hey are true, correct and complete. e preparer has any knowledge.
Applicant		phone nber
(or business officer)		
Preparer	Prep Date لسلسار السلسار المالي ID N	arer umber <u>i i i i i i i i</u>
eparer Telephone Number		r1
MAIL TO: MAINE REVENUE SERVI		office use only
P.O. BOX 9107 , AUGUSTA, ME 04332-91		REV. 06/08

An	R
	BETR App
A BRANN	Enha

# Request for Information: BETR Applicants who Receive TIF Credit Enhancement Reimbursements

File with Form 800 or mail to:

Maine Revenue Services, P.O. Box 9107, Augusta, ME 04332-9107

Address:	·	
	Property Tax Rate:	···
Attach a separate schedule for each TIF District.		
Enter the following information based on the April 1,	, 2007 property tax assessment.	
1. Total valuation of all property owned by the entity	located within the TIF District 1. \$	
<ol> <li>Total <u>captured assessed valuation</u> ("CAV") of all TIF District.</li> </ol>	property owned by the entity located within a	
a. Total CAV of personal property	2a. \$	
b. Total CAV of real estate	2b. \$	
c. Total CAV (line 2a plus line 2b)		
<ol> <li>TIF Reimbursement: Reimbursement under a c taxes paid on TIF property included in the valuati</li> </ol>		,
a. Reimbursement for personal property	3a. \$	
b. Reimbursement for real estate		
c. Total reimbursement (line 3a plus line 3b)		
<u>NOTE:</u> Do not file t	his worksheet if line 3a is zero.	
<ol> <li>BETR Reimbursement: Amount on line 3c for v reimbursement under the BETR program (see ex</li> </ol>		
a. Amount claimed on the 2008 BETR Form 800	04a. \$	
b. Amount claimed on the 2009 BETR Form 800	4b. \$	
c. Total (line 4a plus line 4b)		

#### Signature of owner or other official representative of the business:

Under penalties of perjury, I declare that I have examined this worksheet and accompanying schedules and statements and, to the best of my knowledge and belief, they are true, correct and complete.

Owner: (or business officer)	Date: / /	Telephone Number:
Contact Person:		Telephone Number:
		REV 7/09