

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON BUSINESS, RESEARCH  
AND ECONOMIC DEVELOPMENT**

July 2009

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# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 124<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
CON RES XXX.....	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE.....	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY.....	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 124<sup>th</sup> Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

# Joint Standing Committee on Business, Research and Economic Development

LD 1473

## An Act To Reaffirm Maine's Commitment to Business by Amending the Pine Tree Development Zone Laws

PUBLIC 461

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N SCHNEIDER	OTP-AM	H-570

This bill is a concept draft pursuant to Joint Rule 208. It proposes to expand the eligibility for designation as a Pine Tree Development Zone, and the benefits available as a Pine Tree Development Zone, to the entire State.

### Committee Amendment "A" (H-570)

This amendment makes the following changes to the Pine Tree Development Zone laws:

1. Beginning January 1, 2009 to December 31, 2009, it allows for all units of local government statewide to be considered tier 1 locations, where qualified businesses may become eligible for Pine Tree Development Zone benefits for a period of 10 years;
2. Beginning January 1, 2010, it allows a unit of local government that is contained in a county other than Cumberland County or York County, as well as a unit of local government that is contained in Cumberland County or York County with a municipal unemployment rate that is 15% higher than its labor market unemployment rate, a unit of local government that has been designated by the Department of Economic and Community Development as a participating municipality in the Pine Tree Development Zone program as of December 31, 2008 and property within a military redevelopment zone to be classified as a tier 1 location, where qualified businesses may become eligible for Pine Tree Development Zone benefits for a period of 10 years;
3. Beginning January 1, 2010, it allows any unit of local government that is contained in Cumberland County or York County that is not classified as a tier 1 location to be classified as a tier 2 location, where qualified businesses may become eligible for Pine Tree Development Zone benefits for a period of 5 years. After the 5 years, all Pine Tree Development Zone benefits expire, except for the expanded employment tax increment financing benefits under the Maine Revised Statutes, Title 36, chapter 917, which must be recalculated at that time to reflect the standard rates under that chapter;
4. It extends the duration of benefits through the year 2028;
5. It allows significant business development projects to have a base level of employment adjustment, determined by a single location versus a statewide aggregate;
6. It amends the definition of "manufacturing;"
7. It repeals several provisions of the Pine Tree Development Zone laws that relate to the designation of zones that are no longer necessary; and
8. It establishes the Pine Tree Development Zone Reserve Fund as a nonlapsing fund to capture all net positive revenues gained by the program that accrue to the State and that would not have accrued to the State but for the availability of Pine Tree Development Zone benefits.

### Enacted Law Summary

Public Law 2009, chapter 461 makes the following changes to the Pine Tree Development Zone laws:

## *Joint Standing Committee on Business, Research and Economic Development*

1. Beginning January 1, 2009 to December 31, 2009, it allows for all units of local government statewide to be considered tier 1 locations, where qualified businesses may become eligible for Pine Tree Development Zone benefits for a period of 10 years;
2. Beginning January 1, 2010, it allows a unit of local government that is contained in a county other than Cumberland County or York County, as well as a unit of local government that is contained in Cumberland County or York County with a municipal unemployment rate that is 15% higher than its labor market unemployment rate, a unit of local government that has been designated by the Department of Economic and Community Development as a participating municipality in the Pine Tree Development Zone program as of December 31, 2008 and property within a military redevelopment zone to be classified as a tier 1 location, where qualified businesses may become eligible for Pine Tree Development Zone benefits for a period of 10 years;
3. Beginning January 1, 2010, it allows any unit of local government that is contained in Cumberland County or York County that is not classified as a tier 1 location to be classified as a tier 2 location, where qualified businesses may become eligible for Pine Tree Development Zone benefits for a period of 5 years. After the 5 years, all Pine Tree Development Zone benefits expire, except for the expanded employment tax increment financing benefits under the Maine Revised Statutes, Title 36, chapter 917, which must be recalculated at that time to reflect the standard rates under that chapter;
4. It extends the duration of benefits through the year 2028;
5. It allows significant business development projects to have a base level of employment adjustment, determined by a single location versus a statewide aggregate;
6. It amends the definition of "manufacturing;"
7. It repeals several provisions of the Pine Tree Development Zone laws that relate to the designation of zones that are no longer necessary; and
8. It establishes the Pine Tree Development Zone Reserve Fund as a nonlapsing fund to capture all net positive revenues gained by the program that accrue to the State and that would not have accrued to the State but for the availability of Pine Tree Development Zone benefits.

**LD 1477      Resolve, Authorizing the Finance Authority of Maine To Oversee an  
Obligation Owed to the State by Lincoln Paper and Tissue, LLC**

**RESOLVE 124  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNEIDER	OTP-AM	S-257

This resolve authorizes the Commissioner of Environmental Protection to assign to the Finance Authority of Maine certain debt obligations under a promissory note with a maturity date of May 26, 2009 owed to the State by Lincoln Paper and Tissue, LLC.

**Committee Amendment "A" (S-257)**

This amendment adds an emergency preamble and emergency clause to the resolve.

**Enacted Law Summary**

Resolve 2009, chapter 124 authorizes the Commissioner of Environmental Protection to assign to the Finance Authority of Maine certain debt obligations under a promissory note with a maturity date of May 26, 2009 owed to