

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the amendment in the first paragraph after the title by striking out the following: "in section 1 in paragraph H in subparagraph (2) in the last line (page 1, line 12 in L.D.) by inserting after the following: "application" the following: ', as long as an application for a waiver under this subparagraph is received by August 1, 2010' " and inserting in its place the following: 'by striking out all of section 1 and inserting in its place the following:

Sec. 1. 30-A MRSA §5250-J, sub-§1, as amended by PL 2005, c. 451, §1, is further amended to read:

1. Creation. One or more units of local government, or an organization representing one or more units of local government, or the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Penobscot Nation or the Passamaquoddy Tribe, may apply to the commissioner for the designation of a Pine Tree Development Zone within the boundaries of the unit or units of local government in accordance with the requirements of this subchapter. County governments may apply on behalf of unorganized territories. Groups of units of local government may apply for multijurisdictional or joint projects. Multijurisdictional applications require designation of one unit of local government as the lead applicant and consent for that designation by each participating unit of local government. Counties may also apply on behalf of a consortium of units of local government. The designation of a Pine Tree Development Zone may not conflict with the provisions of a municipal or other unit of local government charter. Zones that meet the requirements of subsection 2 are authorized for designation as follows:

- A. Aroostook County;
- B. The Androscoggin Valley region, including the Lewiston Enterprise Community Zone as designated by the federal Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, Appropriations Act, Public Law 105-277 (1999);
- C. The Penobscot Valley region;
- D. Washington County and the Downeast region; and
- E. Up to 100 acres of land owned by the Aroostook Band of Micmacs and the Houlton Band of Maliseet Indians; up to 500 acres of land owned by the Penobscot Nation; and up to 500 acres of land owned by the Passamaquoddy Tribe.

~~Notwithstanding the property designated in paragraph E, no more than one zone may be established in each of the areas specified in paragraphs A to D, except that the~~The commissioner may designate up to 4 additional zones through the process established in section 5250-L.

Sec. 2. 30-A MRSA §5250-J, sub-§3, ¶G, as enacted by PL 2003, c. 688, Pt. D, §2, is amended to read:

- G. All property included within a Pine Tree Development Zone must meet one of the following:
 - (1) The property is located within a market area for which the labor market unemployment rate is greater than the state unemployment rate at the time of the application; or

(2) The property is included within a county in which the average weekly wage is below the state average weekly wage at the time of the application;

(3) The property is located within a census tract that has 25% or more of its population living below the federal nonfarm income official poverty line at the time of the application; or

(4) The property is located within a census tract that has 40% or more of its population living in rental housing at the time of the application.

In the case of a multijurisdictional or joint application, the requirements of this paragraph are met if the combined unemployment rate of the cooperating units of local government meets the requirements of subparagraph (1) ~~or~~, the average weekly wage of the cooperating units of local government, on a per-employed-worker basis, meets the requirements of subparagraph (2), the combined poverty rate meets the requirements of subparagraph (3) or the combined rental housing population percentage meets the requirements of subparagraph (4); and

Sec. 3. 30-A MRSA §5250-J, sub-§3, ¶H, as enacted by PL 2003, c. 688, Pt. D, §2, is amended to read:

H. The restrictions contained in paragraph G may be waived for property that is contained within a labor market ~~an~~ area of special need that has sustained a greater than 5% loss of population or employed workers during the 3-year period immediately preceding the time of application if the loss was caused by business closing; significant population loss; underemployment; military base closure; defense-related funding reduction; natural disaster; depletion of natural resources; loss, or threatened loss, of the lesser of 200 jobs and 1% of the labor market area; negative impact from foreign trade; or other project of special need determined by the department."

SUMMARY

This amendment provides for eligibility for designation as a Pine Tree Development Zone for property in a census tract that has 25% or more of its population living below the federal nonfarm income official poverty line or in a census tract that has 40% or more of its population living in rental housing. It also authorizes the Commissioner of Economic and Community Development to designate additional Pine Tree Development Zones based on criteria established in law. It allows certain requirements for designation as a Pine Tree Development Zone to be waived for an area of special need that has sustained a significant population loss; underemployment; military base closure; defense-related funding reduction; natural disaster; depletion of natural resources; loss, or threatened loss, of the lesser of 200 jobs and 1% of the labor market area; negative impact from foreign trade; or other project of special need determined by the department.