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## **An Act To Encourage Economic Recovery and Employment Growth To Support Maine's Working Waterfronts**

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

**Whereas,** Maine's working waterfront industries are critical to the growth of the State's economy and bolstering these industries, which have suffered unexpected catastrophic events in regions of high unemployment, by providing Pine Tree Development Zone benefits could help them recover more rapidly and allow them to continue to be valuable assets to the economy; 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. 30-A MRSA §5250-I, sub-§5-A** is enacted to read:

**5-A. Catastrophic occurrence.** "Catastrophic occurrence" means accidental fire, flood, hurricane, windstorm, earthquake or other similar event.

**Sec. 2. 30-A MRSA §5250-I, sub-§23** is enacted to read:

**23. Working waterfront.** "Working waterfront" means a parcel of land abutting water subject to tidal influence or land located in the intertidal zone that is used primarily or predominantly to provide access to or support the conduct of commercial fishing and marine activities. For purposes of this subsection, "parcel" includes an entire unit of real estate notwithstanding the fact that it is divided by a road, way, railroad or pipeline.

**Sec. 3. 30-A MRSA §5250-I, sub-§24** is enacted to read:

**24. Working waterfront industry.** "Working waterfront industry" means an industry primarily involved in supporting commercial fishing, marine and boat building activities.

**Sec. 4. 30-A MRSA §5250-J, sub-§3, ¶H,** as repealed and replaced by PL 2005, c. 669, §1, is amended to read:

H. The restrictions contained in paragraph G may be waived for:

(1) Property that is contained within a labor market area 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 closings; or

(2) Property that is contained within an industrial site with appropriate infrastructure and zoning or other land use regulations in place that has sustained a minimum loss of 500 employed workers during the 5-year period immediately preceding the time of application, as long as an application for a waiver under this subparagraph is received by August 1, 2010. Only a qualified business with a base level of employment equal to zero is eligible to receive Pine Tree Development Zone benefits under this subparagraph.; or

(3) Property that is contained within a working waterfront with appropriate infrastructure and zoning or other land use regulations in place that has sustained at least a 5% loss of employed workers due to a catastrophic occurrence during the 16-month period immediately preceding the time of application, as long as an application for a waiver under this subparagraph is received by August 1, 2011. Only a qualified business whose primary purpose is to support the State's working waterfront industry is eligible to receive Pine Tree Development Zone benefits under this subparagraph.

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

## SUMMARY

This bill establishes a waiver of certain Pine Tree Development Zone qualification requirements for property that is within a working waterfront that has sustained a 5% loss of employed workers during the 16-month period immediately preceding the time of application, as long as the loss was caused by a catastrophic occurrence. The bill requires that an application for a waiver must be received by August 1, 2011. The bill also states that only a qualified business whose primary purpose is to support the State's working waterfront industry is eligible to receive Pine Tree Development Zone benefits.