

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

Amend the bill by striking out the title and substituting the following:

**'An Act To Encourage Manufacturing by
Expanding Pine Tree Development Zone Benefits'**

Amend the bill by striking out everything after the enacting clause and inserting the following:

'**Sec. 1. 30-A MRSA c. 206, sub-c. 6** is enacted to read:

SUBCHAPTER 6

Pine Tree Development Zone Exceptions

§ 5250-R. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Commissioner. "Commissioner" means the Commissioner of Economic and Community Development.

2. Department. "Department" means the Department of Economic and Community Development.

3. Manufacturing. "Manufacturing" has the same meaning as in section 5250-I, subsection 11.

4. Pine Tree Development Zone. "Pine Tree Development Zone" has the same meaning as in section 5250-I, subsection 13.

5. Pine Tree Development Zone benefits. "Pine Tree Development Zone benefits" has the same meaning as in section 5250-I, subsection 14.

§ 5250-S. Exceptions for manufacturing businesses

1. Expansion by manufacturing business. The commissioner may certify a business that does not otherwise qualify as a qualified Pine Tree Development Zone business pursuant to section 5250-I, subsection 17 or that does not locate in a Pine Tree Development Zone as qualified to receive Pine Tree Development Zone benefits if the business:

A. Is a for-profit business that has been engaged in the business of manufacturing in the State for at least 3 years;

B. Makes a written commitment to expand its business at one of its current locations in the State by adding at the location of expansion a minimum of 20 net new, full-time employees for whom a retirement program subject to the federal Employee Retirement Income Security Act of 1974, 29 United States Code, Sections 1001 to 1461, as amended, and group health coverage are provided and whose income derived from employment at the business's location of expansion, calculated on a calendar-year basis, is greater than the most recent annual per capita personal income in the county in which the employee is employed; and

C. Makes a written commitment to invest a minimum of \$2,000,000 in its expansion at one of its current locations.

2. Application for tax benefits. A manufacturing business may apply to the commissioner for certification to receive Pine Tree Development Zone benefits pursuant to subsection 1. An application must include, but is not limited to, a detailed narrative description of the manufacturing business's plans for expansion and goals for achieving the requirements listed under subsection 1 and a description of resources to be committed at the location of expansion, including a related timeline for achieving these goals. Upon review and determination by the commissioner that the business satisfies the criteria under subsection 1, the commissioner shall issue a certificate to the manufacturing business for qualification for Pine Tree Development Zone benefits.

3. Sunset. Applications for Pine Tree Development Zone benefits under this subchapter must be received by the commissioner by December 1, 2009.

§ 5250-T. Rules

The department shall adopt rules to implement this subchapter. Rules adopted pursuant to this section are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.'

SUMMARY

This amendment is the majority report of the committee. It replaces the bill, which was a concept draft, and authorizes the State to provide Pine Tree Development Zone benefits to Maine manufacturing companies that would not otherwise qualify for these benefits. A business is required to satisfy specific criteria, including that it is a for-profit business that has been engaged in manufacturing in the State for at least 3 years; it makes a written commitment to expand its business at one of its current locations in the State by adding at the location of expansion a minimum of 20 net new, full-time employees for whom a retirement program and group health coverage are provided and whose income satisfies certain criteria; and it makes a written commitment to invest a minimum of \$2,000,000 in its expansion at one of its current locations. The amendment specifies the criteria for the application that an applicant must submit to the Commissioner of Economic and Community Development, and it also adds a sunset provision that requires applications for benefits to be received by the commissioner by December 1, 2009. This amendment also authorizes the Department of Economic and Community Development to adopt rules to implement this legislation.