

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 everything after the enacting clause and before the summary and inserting the following:

‘**Sec. 1. 30-A MRSA §5250-O**, as enacted by PL 2003, c. 688, Pt. D, §2, is amended to read:

§ 5250-O. Certification of qualified business

A business may apply to the commissioner for certification as a qualified Pine Tree Development Zone business. Upon review and determination by the commissioner that a business is a qualified Pine Tree Development Zone business, the commissioner shall issue a certificate of qualification to the business that includes a description of the qualified business activity for which the certificate is being issued. Prior to issuing a certificate of qualification, the commissioner must find that the business activity will not result in a substantial detriment to existing businesses in the State. In order to make this determination, the commissioner shall consider those factors the commissioner determines necessary to measure and evaluate the effect of the proposed business activity on existing businesses, including whether any adverse economic effect of the proposed business activity on existing businesses is outweighed by the contribution to the economic well-being of the State. The State Economist must review applications under this section and provide an advisory opinion to assist the commissioner in making findings under this section.’

SUMMARY

This amendment deletes the statutory cross-reference to employment tax increment financing and inserts similar statutory language in Pine Tree Development Zone requirements for certification of a qualified business. The amendment requires that prior to certification of a qualified Pine Tree Development Zone business the Commissioner of Economic and Community Development with assistance from the State Economist must determine that the proposed business activity will not result in a substantial detriment to existing businesses in the State. This amendment deletes the section of the bill that provided an express right of appeal to the Superior Court from decisions made by the commissioner regarding certification of qualified businesses.