

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-ONE

—
S.P. 593 - L.D. 1737

**An Act To Clarify the Definition of "Qualified Investment" for Purposes of
the Income Tax Credit for Paper Manufacturing Facility Investment**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 36 MRSA §5219-YY, sub-§1, ¶I, as enacted by PL 2021, c. 482, §3 and affected by §5, is amended to read:

I. "Qualified investment" means expenditures of at least \$15,000,000 to design, permit, build, rebuild, modify, replace, repair or acquire machinery or equipment, including supporting equipment, to modernize or improve a paper manufacturing facility. The expenditures of a qualified applicant and other entities, whether or not incorporated, that are part of a single business enterprise must be aggregated to determine whether a qualified investment has been made. A qualified investment includes any amount spent, prior to the issuance of a certificate of approval, on machinery, equipment, repair parts, replacement parts or replacement equipment, including additions and accessions to other machinery and equipment, as long as the machinery, equipment, parts, additions or accessions are placed in service after the issuance of a certificate of approval. A qualified investment does not include an investment made prior to January 1, ~~2024~~ 2019 or after December 31, ~~2025~~ 2023. "Qualified investment" does not include any amount expended to qualify for Pine Tree Development Zone program benefits under Title 30-A, chapter 206, subchapter 4.

Sec. 2. 36 MRSA §5219-YY, sub-§3, ¶A, as enacted by PL 2021, c. 482, §3 and affected by §5, is amended to read:

A. Subject to the limitations under paragraph B, beginning with the tax year during which a certificate of completion is issued under subsection 2, paragraph E or the tax year beginning in ~~2023~~ 2024, whichever is later, and for each of the following 9 tax years, a certified applicant is allowed a credit against the tax due under this Part for the taxable year in an amount equal to 4% of the certified applicant's qualified investment.

The credit allowed under this subsection is refundable.

Sec. 3. PL 2021, c. 482, §5 is repealed.