



# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

---

Legislative Document

No. 1440

H.P. 1052

House of Representatives, April 2, 2019

### **An Act To Create Transparency in Tax Increment Financing and Credit Enhancement Agreement Proposals**

---

Reference to the Committee on Innovation, Development, Economic Advancement and Business suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative SYLVESTER of Portland.  
Cosponsored by Representatives: ACKLEY of Monmouth, HANDY of Lewiston, PLUECKER of Warren, RYKERSON of Kittery, TALBOT ROSS of Portland, ZEIGLER of Montville.

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

2 **Sec. 1. 5 MRSA §13119-A, sub-§1**, as enacted by PL 1991, c. 368, is amended  
3 to read:

4 **1. Proprietary information.** ~~Information~~ Except for the name of an applicant for  
5 assistance, including a business principal, if applicable, and the amount of assistance  
6 being requested, information that is provided to or developed by the department or a  
7 municipality that has to do with a program of assistance and is included in a business or  
8 marketing plan or a grant application or provided or developed to fulfill reporting  
9 requirements, as long as:

10 A. The person to whom the information belongs or pertains requests that it be  
11 designated as confidential; and

12 B. The department or municipality determines that the information gives the person  
13 making the request opportunity to obtain business or competitive advantage over  
14 another person who does not have access to that information or will result in loss of  
15 business or other significant detriment to the person making the request if access is  
16 provided to others;

17 **Sec. 2. 5 MRSA §13119-B, sub-§1, ¶A**, as enacted by PL 1991, c. 368, is  
18 repealed.

19 **Sec. 3. 5 MRSA §13119-B, sub-§1, ¶E**, as enacted by PL 1991, c. 368, is  
20 amended to read:

21 E. ~~Amounts~~ If not already provided under section 13119-A, subsection 1, amounts  
22 and names of recipients of assistance provided under a program of assistance.

23 **SUMMARY**

24 This bill requires that, for applicants to the Department of Economic and Community  
25 Development or municipalities for assistance for the improvement and development of  
26 housing, community and economic development opportunities, the name of the applicants  
27 and the amount of assistance being requested not be withheld as confidential but be  
28 subject to disclosure.