

## §13070-J. Business disclosure associated with eligibility for public subsidies and incentives

**1. Definitions.** As used in this article, unless the context otherwise indicates, the following terms have the following meanings.

A. [PL 2001, c. 481, §2 (RP).]

B. [PL 2017, c. 264, §8 (RP).]

C. [PL 2017, c. 264, §8 (RP).]

D. "Economic development incentive" means federal and state statutorily defined programs that receive state funds, dedicated revenue funds and tax expenditures as defined by section 1666 whose purposes are to create, attract or retain business entities related to business development in the State.

[PL 2017, c. 264, §8 (AMD).]

D-1. "Economic development investments" means commitments of state funds, dedicated revenue funds and tax expenditures as defined by section 1666 for research and development activities and economic development incentive programs. [PL 2017, c. 264, §8 (NEW).]

E. "Economic development proposal" means proposed legislation that establishes a new program or that expands an existing program that:

(1) Is intended to encourage significant business expansion or retention in the State; and

(2) Contains a tax expenditure, as defined in section 1666, or a budget expenditure with a cost that is estimated to exceed \$100,000 per year. [PL 2015, c. 494, Pt. B, §1 (AMD).]

F. "Research and development activities" means activities that directly or through capital investment support basic and applied scientific research and related commercial development funded by state appropriations and bond proceeds. [PL 2017, c. 264, §8 (NEW).]

G. "State strategic economic improvement plan" means the long-term economic plan for the State's economy developed by the Maine Economic Growth Council pursuant to Title 10, section 929-A, subsection 1. [PL 2017, c. 264, §8 (NEW).]

[PL 2017, c. 264, §8 (AMD).]

## 2. Disclosure.

[PL 2017, c. 264, §9 (RP).]

**2-A. Disclosure.** The following provisions govern disclosure requirements.

A. An applicant for an economic development incentive shall at a minimum identify in writing:

(1) The public purpose that will be served by the business through use of the economic development incentive and the specific uses to which the benefits will be put; and

(2) The goals of the business for the number, type and wage levels of jobs to be created or retained as a result of the economic development incentive received.

Applications filed for economic development incentives are public records for purposes of Title 1, chapter 13. [PL 2017, c. 264, §10 (NEW).]

B. To assist the department in preparing the comprehensive evaluation of state investments in economic development pursuant to section 13070-P, subsection 1, a recipient of state funding for research and development activities or economic development incentives, including General Fund appropriations, dedicated revenue, tax expenditures as defined in section 1666 and general obligation bond proceeds for economic development, shall, in addition to any other reporting

requirements required by law, collect, maintain and provide data as requested by the department.  
[PL 2017, c. 264, §10 (NEW).]

[PL 2017, c. 264, §10 (NEW).]

**3. Report.**

[PL 2009, c. 337, §5 (RP).]

**4. Agency reports.** The following agencies shall submit the following reports.

A. [PL 2017, c. 475, Pt. A, §5 (RP).]

B. The Commissioner of Labor shall report by October 1st annually to the Legislature and the department on the amount of public funds spent on workforce development and training programs directly benefiting businesses in the State. The report must identify the amount of economic development incentives under the jurisdiction of the Department of Labor received by each business and the public benefit resulting from those economic development incentives. [PL 2017, c. 264, §11 (AMD).]

C. The Maine Community College System shall report by October 1st annually to the Legislature and the department on the amount of public funds spent on job training programs directly benefiting businesses in the State. The report must identify the amount of economic development incentives under the jurisdiction of the system received by each business and the public benefit resulting from those economic development incentives. [PL 2017, c. 264, §11 (AMD).]

D. [PL 2009, c. 337, §5 (RP).]

E. [PL 2009, c. 337, §5 (RP).]

F. [PL 2009, c. 337, §5 (RP).]

[PL 2017, c. 475, Pt. A, §5 (AMD).]

**5. (REALLOCATED FROM T. 5, §13070-J, sub-§6) Rules.** Rules adopted by the commissioner under this section are routine technical rules as defined in chapter 375, subchapter 2-A. [PL 2009, c. 337, §5 (AMD).]

**6. (REALLOCATED TO T. 5, §13070-J, sub-§5) Rules.**

[PL 1997, c. 761, §2 (NEW); PL 1999, c. 790, Pt. A, §3 (RAL).]

**SECTION HISTORY**

PL 1997, c. 761, §2 (NEW). PL 1999, c. 768, §§1,2 (AMD). PL 1999, c. 790, §A3 (AMD). RR 2001, c. 2, §A11 (COR). PL 2001, c. 481, §2 (AMD). PL 2001, c. 642, §§1-3 (AMD). PL 2001, c. 642, §12 (AFF). PL 2001, c. 652, §2 (AMD). PL 2001, c. 710, §§2,3 (AMD). PL 2001, c. 710, §4 (AFF). PL 2003, c. 20, §OO2 (AMD). PL 2003, c. 20, §OO4 (AFF). PL 2005, c. 519, §TTT1 (AMD). PL 2009, c. 337, §5 (AMD). PL 2011, c. 380, Pt. HHHH, §1 (AMD). PL 2011, c. 573, §1 (AMD). PL 2013, c. 588, Pt. A, §7 (AMD). PL 2015, c. 494, Pt. B, §1 (AMD). PL 2017, c. 211, Pt. E, §1 (AMD). PL 2017, c. 264, §§8-11 (AMD). PL 2017, c. 475, Pt. A, §5 (AMD).

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