

MAINE STATE LEGISLATURE

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Office of
The Governor

NO. 8 FY 23/24
DATE May 21, 2024

**An Order Establishing the
Maine Infrastructure Rebuilding and Resilience Commission**

WHEREAS, Maine communities endured severe damage from record-breaking riverine flooding, coastal storm surge, and high winds during three extreme storm events striking in rapid succession between December 18, 2023 and January 13, 2024;

WHEREAS, communities suffered more than \$90 million in damage to public infrastructure as a result of these storms and millions of dollars more in damage to private property, businesses, and homes, demanding public investment to help restore a broad range of infrastructure that is critical to local communities and the State's economy;

WHEREAS, Maine has requested eight presidential disaster declarations for severe weather events in the past two years, far more than the preceding decade, challenging the State's emergency management systems and response capabilities;

WHEREAS, preexisting concerns such as increasing real estate valuations, the shortage of affordable housing, and diminishing working waterfront infrastructure combine to create policy and fiscal challenges for Maine's communities and economy;

WHEREAS, recovery and rebuilding resources will continue to be needed as extreme storms, inland and coastal flooding, and other natural hazards are projected to increase in frequency and severity as the climate warms;

WHEREAS, the Governor introduced, and the Legislature has now passed legislation to appropriate \$60 million to the Maine Infrastructure Adaptation Fund, Working Waterfront Resilience Grant Program, and Business Recovery and Resilience Fund for grants to communities, businesses, and other entities to repair, rebuild, and adapt infrastructure to support public safety, protect essential community and economic assets, and ensure long-term resilience to increasingly severe weather;

WHEREAS, Maine has an opportunity to learn lessons for improving response and disaster recovery and long-term resilience from the Maine Emergency Management Agency's Disaster Recovery Team and from other states affected by catastrophic flooding and coastal storms; and

WHEREAS, philanthropy, private capital, and local, state, and federal government entities can collaboratively support and reinforce long-term rebuilding and resilience strategies that leave communities with less risk and better prepared for the next disaster.

NOW THEREFORE, I, Janet T. Mills, Governor of the State of Maine, pursuant to authority conferred by Me. Const. Art. V, Pt. 1, §§ 1 & 12, do hereby Order the following:

I. Commission Established; Purpose

A. The Maine Infrastructure Rebuilding and Resilience Commission (“Commission”) is hereby established;

B. The purpose of the Commission is to advance and support the State’s approach to response, recovery, and rebuilding related to the disasters of the preceding eighteen months, and provide analysis, lessons and strategies from this recovery period, and make a report and recommendations to:

1. Ensure that Maine is maximizing the use of all federal, state, municipal and private funding resources available for storm recovery and rebuilding and effectively deploying those funds alongside state resources;
2. Monitor and describe the limitations of federal, state, and private sources of funding, including insurance markets, on recovery and long-term resilience, and recommend both short-term solutions to fill immediate gaps and long-term mechanisms to sustain resilience investments into the future;
3. Explore and encourage public-private partnerships with private firms, engineering and consulting experts, as well as private investors and philanthropy, to support rebuilding efforts and long-term economic and community resilience in the face of storm recovery;
4. Document lessons from recovery activities that can be applied to future response and recovery efforts, including recommendations for improving state and local systems for community engagement and communications, response, and recovery;
5. Prepare a plan for Maine's infrastructure that increases resilience and speeds rebuilding through strategies that improve state and local planning, permitting, infrastructure design and engineering, finance mechanisms, workforce capacity, and related needs while leveraging available funding sources and capabilities; and
6. Build on recommendations from the Maine Climate Council and its working groups that are relevant to the work of this Commission, including those supporting working waterfronts, preparing for increasing coastal and riverine flooding, and informing policies intended to improve storm response and greater long-term resilience.

II. Membership and Chairs

The Commission shall consist of the following members:

1. The Commissioner of the Department of Transportation or their designee;
2. The Commissioner of the Department of Marine Resources or their designee;
3. The Commissioner of the Department of Economic and Community Development or their designee;
4. The Commissioner of the Maine Department of Environmental Protection or their designee;
5. The Commissioner of the Department of Agriculture, Conservation and Forestry or their designee;
6. The Director of the Maine Emergency Management Agency or their designee;
7. The Director of Governor's Office of Policy Innovation and the Future or their designee;
8. The Director of the Maine Center for Disease Control and Prevention or their designee;
9. The Director of the Governor's Energy Office or their designee;
10. A representative with expertise in hazard mitigation;
11. A leader from Maine's philanthropic sector;
12. An expert in climate science and related storm impacts;
13. A representative with expertise in infrastructure finance and planning;
14. A representative with expertise in insurance;
15. A representative of populations facing disproportionate impacts from storm events;
16. A representative of one of Maine's electrical utilities;
17. A representative with expertise in engineering;
18. Two representatives with expertise in construction and rebuilding;
19. Two representatives from impacted industries;
20. Two municipal leaders, one from an inland and one from a coastal community; and
21. A representative from a regional council or county government.

The Governor shall appoint two members to serve as Co-Chairs of the Commission.

III. Funding and Staffing


- A. The Governor's Office of Policy Innovation and the Future shall provide such staff as may be necessary to fulfill the Commission's charge and may seek staffing and financial support from other state agencies and private entities to accomplish the goals and work of the commission;

- B. The Co-Chairs and the members of the Commission shall serve without compensation.

IV. Proceedings and Records

- A. The Co-Chairs will preside at, set the agenda for, and schedule Commission meetings. The Commission shall meet as often as it deems necessary to complete its work. To the extent practical, and to the extent that its fact-finding mission is not hindered, the Commission should conduct its work in a manner that is open and accessible to the public. Records, proceedings and deliberations of the Commission are not subject to the requirements of 1 M.R.S. c. 13, in accordance with sections 402(2)(F), (3)(J) and § 403(6) of that Chapter. The Commission may conduct its work through subcommittees.
- B. The Commission shall issue a public report of its findings to the Governor and Legislature. The Commission shall issue an interim report by November 15, 2024 and shall issue a final report no later than May 15, 2025.

Date: 5/21/24



Janet T. Mills
Governor