

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 1554

S.P. 523

In Senate, April 10, 2003

An Act Regarding Eligibility under the Municipal Investment Trust Fund

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

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BROMLEY of Cumberland. (GOVERNOR'S BILL)
Cosponsored by Senators: President DAGGETT of Kennebec, ROTUNDO of Androscoggin,
YOUNGBLOOD of Penobscot, Representatives: DUPLESSIE of Westbrook, KOFFMAN of
Bar Harbor, MILLS of Cornville, SUSLOVIC of Portland, TOBIN of Windham.

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

2
4 **Sec. 1. 30-A MRSA §5953-D, sub-§1-A**, as enacted by PL 1999, c. 776, §13, is amended to read:

6 **1-A. Application for downtown improvement grants and loans.**
8 In addition to the other forms of financial assistance available
10 under section 6006-D, an eligible municipality or group of
12 municipalities may apply for a downtown improvement grant or loan
14 from the fund, the proceeds of which must be used to acquire,
16 design, plan, construct, enlarge, repair or protect downtown
18 improvements.

20 The bank, in conjunction with the Department of Economic and
22 Community Development, may prescribe an application form or
24 procedure for an eligible municipality or group of municipalities
26 to apply for a grant or a loan under this subsection. The
28 application must include all information necessary for the
30 purpose of implementing this section and section 6006-D.

32 **Sec. 2. 30-A MRSA §5953-D, sub-§3, ¶¶D and E**, as repealed and
34 replaced by PL 2001, c. 667, Pt. A, §49, are amended to read:

36 D. In the case of a ~~public-service-infrastructure~~ grant or
38 loan, the Department of Economic and Community Development
40 affirms that the applicant has met the conditions of this
42 paragraph.

44 (1) A municipality is eligible to receive a grant or a
46 loan, or a combination of both, if that municipality
48 has adopted a growth management program certified under
50 section 4347-A that includes a capital improvement
 program composed of the following elements:

 (a) An assessment of all public facilities and
 services, such as, but not limited to, roads and
 other transportation facilities, sewers, schools,
 parks and open space, fire and police;

 (b) An annually reviewed 5-year plan for the
 replacement and expansion of existing public
 facilities or the construction of such new
 facilities as are required to meet expected growth
 and economic development. The plan must include
 projections of when and where those facilities
 will be required; and

 (c) An assessment of the anticipated costs for
 replacement, expansion or construction of public
 facilities, an identification of revenue sources

2 available to meet these costs and recommendations
for meeting costs required to implement the plan.

4 (2) A municipality is eligible to receive a loan if
that municipality:

6 (a) Has adopted a comprehensive plan that is
8 determined by the Executive Department, State
10 Planning Office to be consistent with section
4326, subsections 1 to 4.

12 (3) A municipality is eligible to receive a grant or a
14 loan if that municipality is a service center community.

16 Subject to the limitations of this subsection, 2 or more
18 municipalities that each meet the requirements of
subparagraph (1) ~~or~~, (2) or (3) may jointly apply for
assistance under this section; and

20 E. In the case of a downtown improvement grant or loan, the
22 Department of Economic and Community Development affirms
that the applicant has met the conditions of this
24 paragraph. A municipality is eligible to receive a downtown
improvement grant or loan if that municipality has:

26 (1) Shown broad-based support for downtown
28 revitalization;

30 (2) Established a comprehensive downtown revitalization
work plan, including a definition and a map of the
32 affected area;

34 (3) Developed measurable goals and objectives;

36 (4) Demonstrated an historic preservation ethic;

38 ~~(5) - Established an ongoing board of directors, with
associated committees;~~

40 ~~(6) - Provided an adequate operating budget;~~

42 ~~(7) - Hired a professional downtown manager;~~

44 ~~(8) - Established an ongoing training program for staff
and volunteers;~~

46 (9) Developed the capacity to report on the progress of
48 the downtown program; and

2 (10) Established the ability and willingness to support
integrated marketing efforts for retailers, services,
4 activities and events.

6 **Sec. 3. 30-A MRSA §5953-D, sub-§4-A**, as enacted by PL 1999, c.
776, §13, is amended to read:

8 **4-A. Criteria; conditions for downtown improvement grants or**
9 **loans.** The Department of Economic and Community Development, in
10 conjunction with the bank, shall develop criteria and conditions
11 for the award of downtown improvement grants or loans to eligible
12 municipalities after consultation with the state agencies listed
13 in subsection 5 and subject to the requirements of this section.
14 The department shall establish a preference for municipalities
15 that are regional service centers or urban compact municipalities
16 or have adopted a comprehensive plan consistent with section 4326.

18 **Sec. 4. 30-A MRSA §6006-D, sub-§2, ¶¶B and C**, as corrected by
19 RR 1993, c. 2, §31, are amended to read:

20 B. To guarantee or insure, directly or indirectly, the
21 payment of notes or bonds issued or to be issued by a
22 municipality for the purpose of financing the construction
23 of any capital improvement described in section 5953-D,
24 subsection 1 or 1-A;

26 C. To guarantee or insure, directly or indirectly, funds
27 established by municipalities for the purpose of financing
28 construction of any capital improvement described in section
29 5953-D, subsection 1 or 1-A;

32 **SUMMARY**

34 This bill makes service center communities eligible for
35 grants or loans under the Municipal Investment Trust Fund. It
36 also adds that grants or loans may be used for downtown
37 improvement projects and removes some of the program requirements
38 for eligibility for a downtown improvement program.