

MAINE STATE LEGISLATURE

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MAJORITY

L.D. 1389

Date: 1-26-10

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BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT

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STATE OF MAINE

SENATE

124TH LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 505, L.D. 1389, Bill, "An Act To Create State and Regional Quality of Place Investment Strategies for High-value Jobs, Products and Services in Maine"

Amend the bill by striking out the title and substituting the following:

'An Act To Create Regional Quality of Place Investment Strategies for High-value Jobs, Products and Services in Maine'

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 5 MRSA Pt. 16-A is enacted to read:

PART 16-A

MAINE QUALITY OF PLACE

CHAPTER 363

MAINE QUALITY OF PLACE JOBS CREATION AND INVESTMENT STRATEGY

§7019. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Council. "Council" means the Maine Quality of Place Council set out under section 7020.

2. Economic development district. "Economic development district" means an economic development district as defined in 42 United States Code, Section 3122(3) that has a comprehensive economic development strategy under 42 United States Code, Section 3162.

COMMITTEE AMENDMENT

1 **3. Quality of place assets.** "Quality of place assets" means those exceptional,
2 marketable, place-based competitive strengths, resources and advantages that drive the
3 local and regional economy and its sustainability, including:

4 A. Sustainable economic activities based on natural resources, including farming,
5 fishing, forestry, nature-based and heritage-based tourism and outdoor recreation and
6 leisure;

7 B. Downtowns and community centers;

8 C. Historic buildings, structures and related facilities;

9 D. Arts, culture and creative economy activities;

10 E. Landscapes, including the working landscapes of farms, forests and waterfronts;

11 F. Access to outdoor recreational activities and leisure over public and private lands,
12 including motorized and nonmotorized activities;

13 G. Skills and knowledge of a workforce that relate to quality of place, including but
14 not limited to those of workers in fishing, farming, forestry, research, historic
15 preservation, the arts and culture, tourism and outdoor recreation and leisure; and

16 H. Intellectual assets, including schools and colleges, research institutes, museums
17 and educational programs.

18 **4. Regional quality of place assets inventory.** "Regional quality of place assets
19 inventory" means a listing, mapping and assessment of identified local and regional
20 quality of place assets.

21 **5. Regional quality of place investment strategy.** "Regional quality of place
22 investment strategy" means a plan of action, including proposed sources of funding, that
23 makes use of a regional quality of place assets inventory to achieve the following goals:

24 A. Creation of new, high-value jobs, products and services in the geographic area
25 served by an economic development district;

26 B. Increased regional investment, incomes and public revenues; and

27 C. Increased protection, enhancement and marketing of assets identified as economic
28 drivers in a regional quality of place assets inventory.

29 **§7020. Maine Quality of Place Council**

30 **1. Composition.** The Maine Quality of Place Council, established in section
31 12004-G, subsection 29-C, consists of the following 12 members:

32 A. Six ex officio members:

33 (1) The Commissioner of Economic and Community Development;

34 (2) The Commissioner of Transportation;

35 (3) Two commissioners selected by the Governor from the following agencies:
36 the Department of Agriculture, Food and Rural Resources, the Department of
37 Conservation, the Department of Inland Fisheries and Wildlife and the
38 Department of Marine Resources;

1 (4) The Director of the State Planning Office within the Executive Department;
2 and

3 (5) The chair of the Maine State Cultural Affairs Council established in section
4 12004-G, subsection 7-A; and

5 B. Six private citizen members, appointed by the Governor, subject to approval by
6 the joint standing committee of the Legislature having jurisdiction over business,
7 research and economic development matters and to confirmation by the Legislature.
8 The private citizen members must be selected for their knowledge of and
9 demonstrated commitment to protecting, enhancing and building upon the State's
10 natural, historic, cultural, intellectual, tourism, outdoor recreational and downtown
11 assets for marketability and jobs creation. One private citizen member must be a
12 representative of an economic development district.

13 2. Terms. The members of the council appointed pursuant to subsection 1,
14 paragraph B serve for 2-year terms. Each private citizen member of the council serves
15 until that member's successor is appointed and qualified. A private citizen member of the
16 council is eligible for reappointment.

17 3. Vacancy. A vacancy in the council does not impair the right of a quorum of the
18 members to exercise all the rights and perform all the duties of the council. In the event
19 of a vacancy occurring in the membership, the Governor shall appoint a replacement
20 member for the remainder of the unexpired term in the same manner in which the original
21 appointment was made.

22 4. Chair; vice-chair. At the first meeting of the council, the council shall elect from
23 its membership a chair and a vice-chair. The chair and vice-chair serve for one-year
24 terms. The chair and vice-chair serve until their successors are elected. The chair calls
25 meetings of the council and presides over meetings. The vice-chair serves as the chair in
26 the absence of the chair. The Director of the State Planning Office within the Executive
27 Department shall call the first meeting of the council as soon as all initial appointments to
28 the council have been made.

29 5. Meetings; quorum. The council shall meet at least 3 times each year. The chair
30 shall establish the agenda. A quorum of the council is 7 members.

31 6. Compensation. Members of the council appointed pursuant to subsection 1,
32 paragraph B are entitled to receive compensation for travel expenses as allowed under
33 section 12004-G, subsection 29-C while engaged in council activities. The Executive
34 Department, State Planning Office shall absorb these costs.

35 7. Assistance. The Department of Economic and Community Development and the
36 Executive Department, State Planning Office shall jointly provide staff support to the
37 council. The Department of Economic and Community Development; the Department of
38 Conservation; the Department of Transportation; the Maine State Cultural Affairs
39 Council established in section 12004-G, subsection 7-A; the Department of Inland
40 Fisheries and Wildlife; the Department of Agriculture, Food and Rural Resources; the
41 Department of Marine Resources; the Executive Department, State Planning Office; and
42 all other state agencies shall provide assistance considered necessary by the council to
43 fulfill the objectives of this chapter.

1 **§7020-A. Council responsibilities**

2 The council shall facilitate interagency coordination of state and regional activities
3 regarding regional quality of place investment strategies.

4 **1. Standards and guidance.** In consultation with directors of economic
5 development districts, the council shall establish standards and guidelines for regional
6 quality of place investment strategies. The standards and guidelines must ensure that
7 regional quality of place investment strategies are developed with broad public input.
8 The council shall provide guidance to directors of economic development districts for
9 integrating regional capital investment plans, regional transportation plans and other
10 regional plans and strategies with regional quality of place investment strategies.

11 **2. Interagency coordination.** The council shall work with relevant state agencies to
12 identify how they can actively promote, strengthen and support efforts to make best use
13 of the State's quality of place assets, including initiatives that support and implement
14 regional quality of place investment strategies. State agencies are encouraged to fund
15 projects that are identified as priorities in regional asset-based strategies developed by
16 economic development districts according to the guidance in this chapter. The council
17 shall coordinate its work with other state economic plans and with the joint standing
18 committee of the Legislature having jurisdiction over business, research and economic
19 development matters. The council shall also consult with the Department of Economic
20 and Community Development in the context of its economic development strategy
21 authority under section 13053; the Maine Development Foundation in the context of its
22 economic development strategy authority under Title 10, section 917-A, subsection 2; the
23 Maine Economic Growth Council in the context of its economic development strategy
24 authority under Title 10, section 929-B, subsection 1; the Maine Community College
25 System; and the University of Maine System.

26 **3. Performance measures.** In consultation with directors of economic development
27 districts, the council shall develop performance measures to assess the contributions of
28 regional quality of place investment strategies to the goals described in section 7019,
29 subsection 5.

30 **4. Annual report.** The council shall report on its activities to the Governor and seek
31 input from and report on its activities to the joint standing committee of the Legislature
32 having jurisdiction over business, research and economic development matters prior to
33 December 31st of each year. In its report, the council shall describe whether and how
34 regional quality of place investment strategies have contributed to the goals described in
35 section 7019, subsection 5 and make any recommendations necessary to further the
36 purposes of this chapter.

37 **Sec. 2. 5 MRSA §12004-G, sub-§29-C is enacted to read:**

38 **29-C.**

39 <u>Natural and Built</u>	<u>Maine Quality of</u>	<u>Travel Expenses for</u>	<u>5 MRSA §7020</u>
40 <u>Assets</u>	<u>Place Council</u>	<u>Appointed Members</u>	

41
42 **Sec. 3. 30-A MRSA §2343 is enacted to read:**

1 **§2343. Regional quality of place investment strategies**

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

4 A. "Economic development district" has the same meaning as in Title 5, section
5 7019, subsection 2.

6 B. "Quality of place assets" has the same meaning as in Title 5, section 7019,
7 subsection 3.

8 C. "Regional quality of place assets inventory" has the same meaning as in Title 5,
9 section 7019, subsection 4.

10 D. "Regional quality of place investment strategy" has the same meaning as in Title
11 5, section 7019, subsection 5.

12 **2. Regional quality of place investment strategies.** If an economic development
13 district chooses to develop a regional quality of place assets inventory and regional
14 quality of place investment strategy, the economic development district shall seek
15 involvement from leading representatives of natural resources-based businesses, tourism,
16 outdoor recreation and leisure, land conservation, arts and culture, historic preservation,
17 downtown and community revitalization and municipal, transportation and workforce
18 development interests within the region and any other entity that represents regional
19 business or economic development interests, as well as consult with the Maine Quality of
20 Place Council as established in Title 5, chapter 363. In addition to a regional quality of
21 place assets inventory, a regional quality of place investment strategy must include:

22 A. Identification of sustainable market opportunities that make best use of the
23 region's identified quality of place assets;

24 B. An investment plan that includes one or more initiatives designed to realize the
25 identified market opportunities;

26 C. Priorities among the region's identified and recommended quality of place
27 investments and initiatives;

28 D. Opportunities and approaches for leveraging other public and private
29 development activities and funds to support the regional quality of place investment
30 strategy; and

31 E. A plan to achieve full implementation, monitoring and measurement of the results
32 of the regional quality of place investment strategy.

33 **Sec. 4. Staggered terms.** Notwithstanding the Maine Revised Statutes, Title 5,
34 section 7020, subsection 2, of the initial appointments of the private citizen members of
35 the Maine Quality of Place Council, 2 members must be appointed for 2-year terms, 2
36 members must be appointed for 3-year terms and 2 members must be appointed for
37 4-year terms.'

38 **SUMMARY**

39 This amendment is the majority report of the committee and it strikes and replaces
40 the bill. Like the bill, the amendment establishes the Maine Quality of Place Council.

1 Under the amendment, the council is composed of 12 members, including 6 state agency
2 representatives and 6 private citizens. The amendment requires that the council, in
3 consultation with directors of economic development districts, establish standards and
4 guidelines for regional quality of place investment strategies. It also requires the council
5 to work with relevant state agencies to identify how they can actively promote, strengthen
6 and support efforts to make best use of Maine's quality of place assets, including
7 initiatives that support and implement regional quality of place investment strategies, and
8 to encourage state agencies to fund projects that are identified as priorities in regional
9 asset-based strategies developed by economic development districts. The amendment
10 requires the council to coordinate its work with other state economic plans and with the
11 joint standing committee of the Legislature having jurisdiction over business, research
12 and economic development matters. The amendment defines "quality of place assets" to
13 mean those exceptional, marketable, place-based competitive strengths, resources and
14 advantages that drive the local and regional economy and its sustainability, including:

- 15 1. Sustainable economic activities based on natural resources, including farming,
16 fishing, forestry, nature-based and heritage-based tourism and outdoor recreation and
17 leisure;
- 18 2. Downtowns and community centers;
- 19 3. Historic buildings, structures and related facilities;
- 20 4. Arts, culture and creative economy activities;
- 21 5. Landscapes, including the working landscapes of farms, forests and waterfronts;
- 22 6. Access to outdoor recreational activities and leisure over public and private lands,
23 including motorized and nonmotorized activities;
- 24 7. Skills and knowledge of a workforce that relate to quality of place, including but
25 not limited to those of workers in fishing, farming, forestry, research, historic
26 preservation, the arts and culture, tourism and outdoor recreation and leisure; and
- 27 8. Intellectual assets, including schools and colleges, research institutes, museums
28 and educational programs.

29 The amendment further charges the Department of Economic and Community
30 Development and the Executive Department, State Planning Office with jointly staffing
31 the council and requires an annual report from the council to the Governor and the joint
32 standing committee of the Legislature having jurisdiction over business, research and
33 economic development matters.

34 The amendment also provides that if an economic development district chooses to
35 develop a regional quality of place assets inventory and regional quality of place
36 investment strategy, then the district shall seek involvement from leading representatives
37 of natural resources-based businesses, tourism, outdoor recreation and leisure, land
38 conservation, arts and culture, historic preservation, downtown and community
39 revitalization and municipal, transportation and workforce development interests within
40 the region and any other entity that represents regional business or economic
41 development interests, as well as consult with the council. It requires that, in addition to
42 a regional quality of place assets inventory, a regional quality of place investment
43 strategy must include identification of sustainable market opportunities that make best

1 use of the region's identified quality of place assets, an investment plan that includes one
2 or more initiatives designed to realize the identified market opportunities, priorities
3 among the region's identified and recommended quality of place investments and
4 initiatives, opportunities and approaches for leveraging other public and private
5 development activities and funds to support the regional quality of place investment
6 strategy and a plan to achieve full implementation, monitoring and measurement of the
7 results of the strategy.

8 **FISCAL NOTE REQUIRED**

9 (See attached)



124th MAINE LEGISLATURE

LD 1389

LR 707(05)

**An Act To Create State and Regional Quality of Place Investment Strategies for High-value Jobs,
Products and Services in Maine**

**Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Business, Research and Economic Development
Fiscal Note Required: Yes**

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Additional costs to the State Planning Office and the Department of Economic and Community Development to serve on the Maine Quality of Place Council and to provide staff support can be absorbed within existing budgeted resources. Additional costs to other State agencies and organizations to provide the necessary assistance in order for the Council to fulfill the required objectives of this legislation can be absorbed within existing budgeted resources.