

# MAINE STATE LEGISLATURE

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Date: 5/10/17

STATE AND LOCAL GOVERNMENT

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
128TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 242, L.D. 328, Bill, "An Act To Provide Funds To Encourage Regional Planning and Reorganization"

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

'An Act To Encourage Regional Planning and Reorganization'

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

'Sec. 1. 30-A MRSA §6201, sub-§1, as enacted by PL 2005, c. 266, §2, is amended to read:

1. ~~Commissioner.~~ "Commissioner" means the Commissioner of ~~Administrative and Financial Services~~ Economic and Community Development.

Sec. 2. 30-A MRSA §6201, sub-§1-A is enacted to read:

1-A. Capital grant. "Capital grant" means a grant award from the fund pursuant to section 6208 to cover eligible costs for a capital grant as specified in subsection 5, paragraph C.

Sec. 3. 30-A MRSA §6201, sub-§§2, 3 and 5, as enacted by PL 2005, c. 266, §2, are amended to read:

2. Cooperative services grant. "Cooperative services grant" means a grant award from the fund pursuant to section 6208 to cover eligible costs of a ~~qualifying project for a~~ cooperative services grant as specified in subsection 5, paragraph B.

3. ~~Department.~~ "Department" means the Department of ~~Administrative and Financial Services~~ Economic and Community Development.

5. Eligible costs. "Eligible costs" means the actual and direct expenses incurred in implementing a cooperative services grant, a capital grant or a planning grant awarded under section 6208, including expenses incurred in connection with the following activities for cooperative services grants, capital grants and planning grants.

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- 1 A. Eligible costs for a planning grant include the expense of:
- 2 (1) Studies to examine alternative methods of achieving collaboration, including
- 3 those adopted by other municipalities;
- 4 (2) Cost-benefit studies; and
- 5 (3) Facilitation of community meetings and public outreach and education.
- 6 B. Eligible costs for a cooperative services grant ~~includes~~ include the expense of:
- 7 (1) Execution and implementation of an interlocal agreement under chapter 115,
- 8 a tax base sharing arrangement or another regional government mechanism for
- 9 achieving collaboration;
- 10 (2) Joint strategic planning or comprehensive or capital investment planning;
- 11 (3) Public outreach and education;
- 12 (4) Collaboration or consolidation of offices or services;
- 13 (5) Professional services, such as those provided by attorneys, consultants,
- 14 facilitators and architects; and
- 15 (6) Administrative services and costs, such as photocopying, printing, telephone
- 16 service and travel costs.
- 17 C. Eligible costs for a capital grant include the expense of:
- 18 (1) Site, facility, infrastructure or utility system acquisition;
- 19 (2) Repair, rehabilitation or renovation of existing facilities;
- 20 (3) New construction or expansion of existing facilities; and
- 21 (4) Purchase of major equipment or systems.

22 Administrative and other costs of ongoing operations that would otherwise be budgeted  
23 by a municipality, county or regional government subdivision are not eligible costs.

24 **Sec. 4. 30-A MRSA §6205, first and last ¶¶**, as enacted by PL 2005, c. 266, §2,  
25 are amended to read:

26 In accordance with the request for proposals issued by the department under section  
27 6209, an eligible applicant may apply for a planning grant, a capital grant or a  
28 cooperative services grant from the fund. In order to be eligible for a planning grant, a  
29 capital grant or a cooperative services grant, an eligible applicant must demonstrate in its  
30 application that the project for which it seeks a grant will be undertaken in cooperation  
31 with one or more municipalities, counties or regional government subdivisions.

32 In applying for a cooperative services grant or a capital grant, an eligible applicant  
33 must specify the type of qualifying project for which assistance is sought and how the  
34 project will reduce demand for property tax revenues.

35 **Sec. 5. 30-A MRSA §6206**, as amended by PL 2007, c. 662, §5, is further  
36 amended by adding after the first paragraph a new paragraph to read:

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1        The department may require an eligible applicant to provide matching funds for a  
 2        capital grant if suggested by the review panel during consultation required under section  
 3        6208, subsection 1.

4        **Sec. 6. 30-A MRSA §6207, sub-§2**, as enacted by PL 2005, c. 266, §2, is  
 5        amended to read:

6        **2. Cooperative services grants; capital grants.** In evaluating and ranking each  
 7        application for a cooperative services grant or a capital grant, the review panel established  
 8        under section 6208 shall consider the aggregate reduction in the demand for property tax  
 9        revenue in the geographical region covered by the municipalities, counties and regional  
 10       government subdivisions cooperating in the qualifying project, the chance of success of  
 11       the project and the ability to replicate the efficiency achieved by the project in other  
 12       regions; and other related factors in accordance with a request for proposals issued by the  
 13       department under section 6209.

14       **Sec. 7. 30-A MRSA §6208, sub-§1, ¶C**, as enacted by PL 2005, c. 266, §2, is  
 15       amended to read:

16       C. A representative of the Department of ~~Economic and Community Development~~  
 17       Administrative and Financial Services, appointed by the Governor;

18       **Sec. 8. 30-A MRSA §6208, sub-§2**, as enacted by PL 2005, c. 266, §2, is  
 19       amended to read:

20       **2. Review panel duties.** The review panel established in subsection 1 shall:

21       A. Determine whether each eligible applicant for a cooperative services grant, a  
 22       capital grant or a planning grant meets the eligibility criteria under section 6205 and  
 23       provide written notice to that applicant of its eligibility determination; and

24       B. In accordance with the request for proposals issued under section 6209, review  
 25       and rank proposals from applicants eligible for cooperative services grants, capital  
 26       grants and planning grants under section 6205 against the funding criteria defined in  
 27       section 6207 and award cooperative services grants, capital grants or planning grants  
 28       to proposals that best meet the funding criteria in section 6207 subject to availability  
 29       of funding.

30       Prior to issuing the request for proposals as provided in section 6209, the department  
 31       shall consult with the review panel, which may suggest criteria for consideration by the  
 32       department.

33       **Sec. 9. 30-A MRSA §6209**, as enacted by PL 2005, c. 266, §2, is amended to  
 34       read:

35       **§6209. Request for proposals**

36       No later than November 1st of each year, the department shall issue a request for  
 37       proposals in accordance with the Department of Administrative and Financial Services,  
 38       Bureau of General Services Rules, Chapter 110 that includes the schedules for  
 39       submission and action on applications for grants under this chapter; procedures for  
 40       scoring and ranking those applications; and procedures and information requirements  
 41       related to application submissions. The department shall provide reasonable notice to all

1 eligible applicants about the availability of the fund and the solicitation of grant  
2 proposals.

3 **Sec. 10. Appropriations and allocations.** The following appropriations and  
4 allocations are made.

5 **ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF**

6 **Fund for Efficient Delivery of Local and Regional Services - Administration Z047**

7 Initiative: Provides one-time funding to encourage regional planning and reorganization  
8 for towns and municipalities to decrease the duplication of services.

9	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
10	All Other	\$5,000,000	\$5,000,000
11			
12	<b>GENERAL FUND TOTAL</b>	<u>\$5,000,000</u>	<u>\$5,000,000</u>
13			

14 **SUMMARY**

15 The bill provides \$25,000,000 in fiscal year 2017-18 and \$0 in fiscal year 2018-19 to  
16 the Fund for the Efficient Delivery of Local and Regional Services. This amendment  
17 strikes the bill and instead shifts responsibility for the administration of the fund from the  
18 Department of Administrative and Financial Services to the Department of Economic and  
19 Community Development and changes the funding to \$5,000,000 in fiscal year 2017-18  
20 and fiscal year 2018-19 only. The amendment also adds capital grants as a 3rd type of  
21 grant available from the fund; current law provides for planning grants and cooperative  
22 services grants.

23 **FISCAL NOTE REQUIRED**

24 (See attached)



# 128th MAINE LEGISLATURE

LD 328

LR 1758(02)

## An Act To Provide Funds To Encourage Regional Planning and Reorganization

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-150)  
 Committee: State and Local Government  
 Fiscal Note Required: Yes

### Fiscal Note

	FY 2017-18	FY 2018-19	Projections FY 2019-20	Projections FY 2020-21
<b>Net Cost (Savings)</b>				
General Fund	\$5,000,000	\$5,000,000	\$0	\$0
<b>Appropriations/Allocations</b>				
General Fund	\$5,000,000	\$5,000,000	\$0	\$0

#### Fiscal Detail and Notes

This bill includes one-time General Fund appropriations to the Fund for Efficient Delivery of Local and Regional Services - Administration within the Department of Economic and Community Development to encourage regional planning and reorganization for towns and municipalities to decrease the duplication of services. Pursuant to 30-A M.R.S.A, Chapter 231, §6204, the department may use the fund to cover its administrative costs, so no additional General Fund support is required. The additional costs to the Department of Administrative and Financial Services are expected to be minor.