

# MAINE STATE LEGISLATURE

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Date: 4/18/24

(Filing No. H-990)

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**STATE OF MAINE**  
**HOUSE OF REPRESENTATIVES**  
**131ST LEGISLATURE**  
**SECOND REGULAR SESSION**

HOUSE AMENDMENT "C" to COMMITTEE AMENDMENT "A" to H.P. 1420, L.D. 2214, "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2024 and June 30, 2025"

Amend the amendment by inserting after Part TTTT the following:

**'PART UUUU**

**Sec. UUUU-1. Transfer from Maine Budget Stabilization Fund; Infrastructure Adaptation Fund.** Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$50,000,000 by the close of the fiscal year ending June 30, 2025 from the Maine Budget Stabilization Fund within the Department of Administrative and Financial Services to the Department of Transportation, Infrastructure Adaptation Fund, Other Special Revenue Funds account for municipal, state or regionally significant infrastructure adaptation, repair and improvements that support public safety, protection of essential community assets, regional economic needs and long-term infrastructure resiliency.

**Sec. UUUU-2. Administration of funds.** Funds provided under section 1 of this Part must be administered by the Department of Transportation and must be awarded by interagency boards using competitive processes. The interagency boards shall identify and document an equitable basis for allocating funds between inland and coastal projects. Project rating criteria may include the potential extent of public safety; emergency management and infrastructure resiliency benefits; future climate conditions; ability to leverage federal and other funding; and community, economic and environmental benefits. Funds must be used for public infrastructure projects and may be used for some types of private infrastructure upgrades with significant community benefits, such as working waterfront infrastructure. For the purposes of this Part, "working waterfront infrastructure" means wharves and piers that support commercial fisheries and aquaculture businesses in this State. Projects must demonstrate increased resilience to future storm and flooding impacts. The award criteria must prioritize proposals that demonstrate a significant and compelling community benefit; recipients that are not covered by Federal Emergency Management Agency disaster funds; and recipients that demonstrate that the damage is not covered by insurance and that all emergency relief currently available has been exhausted.

**HOUSE AMENDMENT**

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1 The administration of the funds must include sufficient documentation and record-keeping  
2 requirements to provide assurance that funds have been awarded consistent with the  
3 program guidelines and used for the intended purpose.

4 **Sec. UUUU-3. Transfers from Infrastructure Adaptation Fund authorized.**  
5 Funds provided under section 1 of this Part may be transferred by financial order upon the  
6 recommendation of the State Budget Officer and approval of the Governor for purposes  
7 described in section 1 of this Part and to facilitate the administration of the funds as  
8 described in section 2 of this Part.

9 **Sec. UUUU-4. Business Recovery and Resilience Fund program**  
10 **established.** The Business Recovery and Resilience Fund program is established in the  
11 Department of Economic and Community Development to provide grant opportunities for  
12 businesses and organizations, including nonprofit organizations, affected by severe  
13 weather-related events.

14 **Sec. UUUU-5. Transfer from Maine Budget Stabilization Fund; Business**  
15 **Recovery and Resilience Fund program, Other Special Revenue Funds**  
16 **account.** Notwithstanding any provision of law to the contrary, the State Controller shall  
17 transfer \$10,000,000 by the close of the fiscal year ending June 30, 2025 from the Maine  
18 Budget Stabilization Fund within the Department of Administrative and Financial Services  
19 to the Department of Economic and Community Development, Business Recovery and  
20 Resilience Fund program, Other Special Revenue Funds account for economic recovery  
21 and resilience grants to businesses and nonprofit organizations within areas that were  
22 impacted in the December 18, 2023 storm, the January 10, 2024 storm or the January 13,  
23 2024 storm. Projects may include a recovery component for damage sustained and must  
24 include efforts to increase business resilience to future storms and other climate conditions.

25 **Sec. UUUU-6. Administration of funds.** Funds provided under section 5 of this  
26 Part must be administered by the Department of Economic and Community Development  
27 and must be awarded using competitive processes. Project rating criteria may include the  
28 viability of the business or nonprofit organization, the ability to match grant funds and the  
29 efficacy of the recovery and resilience plan offered in the application. The award criteria  
30 must require that recipients demonstrate that the damage or project costs are not covered  
31 by Federal Emergency Management Agency disaster funds, or other insurance, and that the  
32 recipient has exhausted all emergency relief funding programs currently available. The  
33 administration of the funds must include sufficient documentation and record-keeping  
34 requirements to provide assurance that funds have been awarded consistent with the  
35 program guidelines and used for the intended purpose.

36 **Sec. UUUU-7. Appropriations and allocations.** The following appropriations  
37 and allocations are made.

38 **TRANSPORTATION, DEPARTMENT OF**  
39 **Infrastructure Adaptation Fund Z318**

40 Initiative: Provides one-time funding for municipal, state or regionally significant  
41 infrastructure adaptation, repair and improvements that support public safety, protection of  
42 essential community assets, regional economic needs and long-term infrastructure  
43 resiliency. Project types may include working waterfront infrastructure, culverts, storm  
44 water systems, water system upgrades and other interventions that support infrastructure

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1 repair and reducing or eliminating climate impacts, especially coastal and inland flooding.  
2 Funds may be used to support project planning and federal matching funds. Funds will be  
3 used for public infrastructure projects with project exemptions available for some types of  
4 private infrastructure upgrades with significant community benefits, such as working  
5 waterfronts. For the purposes of this fund, working waterfront infrastructure is defined as  
6 wharves and piers that support the State's commercial fisheries and aquaculture businesses.

7	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
8	All Other	\$0	\$50,000,000
9			
10	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$50,000,000</u>

11 **Sec. UUUU-8. Appropriations and allocations.** The following appropriations  
12 and allocations are made.

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

14 **Business Recovery and Resilience Fund N491**

15 Initiative: Allocates funds for grants to businesses and nonprofit organizations impacted by  
16 the December 18, 2023 storm, the January 10, 2024 storm or the January 13, 2024 storm  
17 for recovery, rebuilding and investments in more resilient infrastructure. Infrastructure  
18 project types may include infrastructure upgrades, improvements or installation of drainage  
19 systems, moving electrical or business equipment, relocating the business to a more  
20 protected location and investing in additional insurance.

21	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
22	All Other	\$0	\$10,000,000
23			
24	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$10,000,000</u>

26 Amend the amendment by relettering or renumbering any nonconsecutive Part letter or  
27 section number to read consecutively.

28 **SUMMARY**

29 This amendment transfers \$50,000,000 from the Maine Budget Stabilization Fund to  
30 the Department of Transportation, Infrastructure Adaptation Fund, Other Special Revenue  
31 Funds account for municipal, state or regionally significant infrastructure adaptation, repair  
32 and improvements that support public safety, protection of essential community assets,  
33 regional economic needs and long-term infrastructure resiliency. Project types may include  
34 working waterfront infrastructure, culverts, storm water systems, water system upgrades  
35 and other interventions that support reducing or eliminating climate impacts, especially  
36 coastal and inland flooding. The amendment also creates the Business Recovery and  
37 Resilience Fund program within the Department of Economic and Community  
38 Development and transfers \$10,000,000 from the Maine Budget Stabilization Fund for  
39 economic recovery and resilience grants for businesses and nonprofit organizations

**HOUSE AMENDMENT**

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HOUSE AMENDMENT "C" to COMMITTEE AMENDMENT "A" to H.P. 1420, L.D. 2214

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affected by the December 18, 2023 storm, the January 10, 2024 storm or the January 13, 2024 storm.

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SPONSORED BY:

  
(Representative TERRY, M.)

TOWN: Gorham

**FISCAL NOTE REQUIRED**  
**(See attached)**



# 131st MAINE LEGISLATURE

LD 2214

LR 3108(09)

**An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2024 and June 30, 2025**

**Fiscal Note for House Amendment "C" to Committee Amendment "A" (H-990)**

**Sponsor: Rep. Terry of Gorham**

**Fiscal Note Required: Yes**

## Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Appropriations/Allocations</b>				
Other Special Revenue Funds	\$0	\$60,000,000	\$0	\$0
<b>Transfers</b>				
General Fund	\$0	\$0	\$0	\$0
Other Special Revenue Funds	\$0	\$60,000,000	\$0	\$0

### Fiscal Detail and Notes

This amendment provides a one-time Other Special Revenue Funds allocation of \$50,000,000 in fiscal year 2024-25 to the Department of Transportation for municipal, state or regionally significant infrastructure adaptation, repair and improvements that support public safety, protection of essential community assets, regional economic needs and long-term infrastructure resiliency. The bill also includes a one-time transfer of \$50,000,000 in fiscal year 2024-25 from the Maine Budget Stabilization Fund to an Other Special Revenue Funds account in the Department of Transportation to fund these infrastructure adaptations.

This amendment also provides a one-time Other Special Revenue Funds allocation of \$10,000,000 in fiscal year 2024-25 to a newly established Business Recovery and Resilience Program within the Department of Economic and Community Development to provide grant opportunities for businesses and organizations, including non-profit organizations, affected by severe weather-related events. A one-time transfer of \$10,000,000 in fiscal year 2024-25 from the Maine Budget Stabilization Fund to the Business Recovery and Resilience Program, Other Special Revenue Funds account is provided to fund the grant opportunities.