

# MAINE STATE LEGISLATURE

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Date: 4/1/24 Report 'B'

L.D. 2225  
(Filing No. H-895)

**APPROPRIATIONS AND FINANCIAL AFFAIRS**

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

COMMITTEE AMENDMENT "B" to H.P. 1426, L.D. 2225, "An Act to Provide Funding to Rebuild Infrastructure Affected by Extreme Inland and Coastal Weather Events"

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

**Sec. 1. Transfer from unappropriated surplus of General 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, 2024 from the unappropriated surplus of the General Fund 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. 2. Administration of Infrastructure Adaptation Fund program.** Funds appropriated under section 4 must be administered by the Department of Transportation and must be awarded by interagency boards using competitive processes. The interagency boards shall allocate up to \$30,000,000 of the funds provided to infrastructure projects related to wharves and piers that support commercial fisheries and aquaculture businesses in this State and the remainder to projects related to noncoastal municipal, state or regionally significant infrastructure adaptation, repair and improvement projects that support public safety, protection of essential community assets, regional economic needs and long-term infrastructure resiliency. 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. All 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

**COMMITTEE AMENDMENT**

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

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

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

11 **TRANSPORTATION, DEPARTMENT OF**  
12 **Infrastructure Adaptation Fund Z318**

13 Initiative: Provides one-time funding for municipal, state or regionally significant  
14 infrastructure adaptation, repair and improvements that support public safety, protection of  
15 essential community assets, regional economic needs and long-term infrastructure  
16 resiliency. Project types may include working waterfront infrastructure, culverts, storm  
17 water systems, water system upgrades and other interventions that support infrastructure  
18 repair and reducing or eliminating climate impacts, especially coastal and inland flooding.  
19 Funds may be used to support project planning and federal matching funds. Funds will be  
20 used for public infrastructure projects with project exemptions available for some types of  
21 private infrastructure upgrades with significant community benefits, such as working  
22 waterfronts. For the purposes of this fund, working waterfront infrastructure is defined as  
23 wharves and piers that support the State's commercial fisheries and aquaculture businesses.

24	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
25	All Other	\$50,000,000	\$500
26			
27	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$50,000,000</b>	<b>\$500</b>

28  
29 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
30 number to read consecutively.

31 **SUMMARY**

32 This amendment, which is one of 2 minority reports of the committee, replaces the bill.  
33 As in the bill, it provides \$50,000,000 in funding to the Infrastructure Adaptation Fund  
34 program. This amendment provides the funding through a transfer from the unappropriated  
35 surplus of the General Fund instead of a transfer from the Maine Budget Stabilization Fund.  
36 This amendment specifies that up to \$30,000,000 of the funds provided must be used for  
37 projects related to wharves and piers that support commercial fisheries and aquaculture  
38 businesses in this State, with the remainder of the funds to be used for noncoastal  
39 municipal, state or regionally significant infrastructure adaptation, repair and

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COMMITTEE AMENDMENT "B" to H.P. 1426, L.D. 2225

1 improvements that support public safety, protection of essential community assets, regional  
2 economic needs and long-term infrastructure resiliency.

3 **FISCAL NOTE REQUIRED**

4 (See attached)



# 131st MAINE LEGISLATURE

LD 2225

LR 3090(03)

## An Act to Provide Funding to Rebuild Infrastructure Affected by Extreme Inland and Coastal Weather Events

Fiscal Note for Bill as Amended by Committee Amendment *B (H-895)*

Committee: Appropriations and Financial Affairs

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	\$50,000,000	\$0	\$0	\$0
<b>Appropriations/Allocations</b>				
Other Special Revenue Funds	\$50,000,000	\$500	\$0	\$0
<b>Transfers</b>				
General Fund	(\$50,000,000)	\$0	\$0	\$0
Other Special Revenue Funds	\$50,000,000	\$0	\$0	\$0

### Fiscal Detail and Notes

This bill includes a one-time Other Special Revenue Funds allocation of \$50,000,000 in fiscal year 2023-24 and \$500 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. A one-time Other Special Revenue Funds allocation of \$500 in fiscal year 2024-25 is included to authorize the expenditure of any unspent funds carried forward from the previous fiscal year. The bill also includes a one-time transfer of \$50,000,000 in fiscal year 2023-24 from the unappropriated surplus of the General Fund to the Infrastructure Adaptation Fund to fund the allocation.