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

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

PART A

Sec. A-1. 5 MRSA c. 311-A is enacted to read:

CHAPTER 311-A

MAINE QUALITY OF PLACE INVESTMENT STRATEGY

§ 3308. Definitions

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

1. Asset-based investment strategy. "Asset-based investment strategy" means a plan of action that builds on exceptional and marketable local and regional strengths, resources and advantages to create new high-value jobs, products and services.

2. Council. "Council" means the Maine Quality of Place Council established under Title 5, section 12004G, subsection 29C.

3. Regional quality of place investment strategy. "Regional quality of place investment strategy" means an asset-based investment strategy that builds upon local and regional place-based assets through the means set forth in subsection 4 and toward the goals set forth in section 3308D, subsection 1.

4. State quality of place investment strategy. "State quality of place investment strategy" means an asset-based investment strategy that builds upon the State's place-based assets through the following means:

- A. Landscape protection;
- B. Downtown revitalization;
- C. Historic preservation;
- D. Support for the arts, culture and creative economy;
- E. Tourism based on nature, adventure and heritage;
- F. Outdoor recreation and leisure;

G. Access to outdoor recreation and leisure over public and private lands; and

H. Related infrastructure and workforce development.

§ 3308-A. Maine Quality of Place Council

The Maine Quality of Place Council is established within the Executive Department. The council consists of 11 members, 6 who are private citizens and 5 who are ex officio members.

1. Ex officio members. The ex officio members of the council are the Commissioner of Economic and Community Development, the Commissioner of Transportation, the Commissioner of Conservation, the Director of the State Planning Office within the Executive Department and the chair of the Maine State Cultural Affairs Council.

2. Citizen members. The 6 private citizen members of the council are appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over matters pertaining to economic and community development and to confirmation by the Legislature.

3. Qualifications. The 6 private citizen members of the council must be selected for their knowledge of and commitment to protecting, enhancing and building upon the State's natural, historic, cultural, recreational and downtown assets. One private citizen must be a representative of one of the State's regional planning and development districts designated under Title 30A, section 2341.

4. Terms. The private citizen members of the council are appointed to staggered 4-year terms. Private citizen members may not serve more than 2 consecutive 4-year terms.

5. Chair. The Governor shall appoint the chair of the council from among its members.

6. Assistance. The Department of Economic and Community Development; the Department of Conservation; the Department of Transportation; the Cultural Affairs Council; the Department of Inland Fisheries and Wildlife; the Department of Agriculture, Food and Rural Resources; the Department of Marine Resources; the Executive Department, State Planning Office; and all other state agencies shall provide assistance considered necessary by the council to fulfill the objectives of this chapter. The State Planning Office shall provide staff support to the council as described in section 3307G.

§ 3308-B. Council meetings; rules and administrative proceedings

1. Meetings. The council shall meet at least 4 times each year. The chair shall call the meetings of the council and establish its agenda.

2. Rules. The council, acting in accordance with chapter 375, may adopt rules it considers necessary for the conduct of its business. Council rules are routine technical rules under chapter 375, subchapter 2A.

3. Compensation. Private citizen members of the council are entitled to receive compensation equal to legislative per diem and travel expenses as allowed under section 12004G, subsection 29C while engaged in council activities. The Executive Department, State Planning Office shall absorb these costs.

4. Quorum. A quorum of the council for the transaction of business is 7 members.

5. Personal bias. If a charge of bias or personal financial interest, direct or indirect, is asserted against a member of the council requesting that member to withdraw from a proceeding of the council, that member shall determine whether or not to withdraw and make that determination part of the record of that proceeding.

§ 3308-C. Council responsibilities

1. Biennial report; goals. The council shall report to the Governor and Legislature prior to December 31st of each even-numbered year. In its report, the council shall describe whether and how the state quality of place investment strategy and regional quality of place investment strategies have achieved the following goals:

A. To create new, high-value jobs, products and services in the State that will succeed in national and global markets to the economic benefit of local, regional and state residents;

B. To make the State's several regions more economically competitive and prosperous through increased investment, job opportunities, regional incomes and public revenues; and

C. To preserve, enhance and market the State's quality of place assets, both natural and manufactured, as economic drivers.

In its report and in consultation with affected agencies, the council shall recommend, including any recommended legislation, how to align state agency laws, programs and funding with a state quality of place investment strategy. The council shall recommend initiatives to ensure that capital investment and program funding are aligned across all state agencies, levels of government and economic sectors to advance a state quality of place investment strategy, principally through support of regional quality of place investment strategies.

The council's report must include a description of the management and distribution of the fund established under section 3308D.

2. Regional strategies; coordination of strategies. The council shall assess:

A. The alignment of regional quality of place investment strategies developed under Title 30-A, section 2343 with a state quality of place investment strategy; and

B. The coordination among state, regional and local agencies and governments, as well as with the private, nonprofit and philanthropic sectors involved in creation of an effective state quality of place investment strategy.

3. Funds. The council shall administer any funds appropriated, allocated or donated for the Maine Quality of Place Investment Fund established under section 3308D. The council's report under subsection 1 must include a description of the distribution of any funds under this subsection.

4. Measures. The council shall develop standard and effective performance measures to assess the success of a state quality of place investment strategy and regional quality of place investment strategies in terms of the goals set forth in subsection 1.

5. Awards. The council shall develop and award annually Maine Quality of Place Prosperity Awards recognizing significant contributions that preserve, strengthen and market the State's quality of place assets that stimulate job creation and economic prosperity.

§ 3308-D. Maine Quality of Place Investment Fund

1. Fund established. There is established the Maine Quality of Place Investment Fund administered by the council. The Maine Quality of Place Investment Fund consists of the proceeds from the sale of any bonds authorized for the purposes set forth in subsection 3 and any funds received as contributions from private and public sources for those purposes. The Maine Quality of Place Investment Fund must be held separate and apart from all other money, funds and accounts. Eligible investment earnings credited to the assets of the Maine Quality of Place Investment Fund become part of the assets of that fund. Any balance remaining in the Maine Quality of Place Investment Fund at the end of any fiscal year must be carried forward for the next fiscal year.

2. Fund available. Upon authorization of the council, for the purposes identified in subsection 3, the Maine Quality of Place Investment Fund is available to regional planning and development districts described in Title 30A, section 2343 and to any other applicant when the application is submitted as part of a regional quality of place investment strategy as described in this chapter and Title 30A, section 2343.

3. Fund proceeds. The proceeds of the Maine Quality of Place Investment Fund may be applied and expended to develop and implement regional quality of place investment strategies as described in subsection 2 as follows:

A. To implement a regional quality of place investment strategy that builds upon efforts under paragraphs B and C;

B. To inventory marketable regional quality of place natural and built assets, including distinctive and exceptional:

(1) Natural resources, landscape, downtown, historical and cultural assets; and

(2) Recreational, educational, transportation and renewable energy assets; and

C. To create a regional quality of place investment strategy by:

(1) Identifying sustainable market opportunities that build upon a region's quality of place assets identified under paragraph B;

(2) Developing an investment plan and initiatives to realize these identified market opportunities;

(3) Setting priorities among the plan's recommended quality of place investments and initiatives;

(4) Taking advantage of available private, philanthropic and public sources of funding for the investments and initiatives; and

(5) Offering a plan to achieve full implementation, monitoring and measurement of the results of the strategy.

§ 3308-E. Request for proposals

When directed by the council, the Executive Department, State Planning Office shall issue a request for proposals in accordance with the Department of Administrative and Financial Services, Bureau of General Services' rules governing the purchase of services and awarding of grants. A request for proposals must include the schedules for submission and action on applications for grants under this chapter, procedures for scoring and ranking those applications and procedures and information requirements related to application submissions. The State Planning Office shall provide reasonable notice to all eligible applicants about the availability of the fund and the solicitation of grant proposals.

Prior to issuing a request for proposals, the Executive Department, State Planning Office shall consult with the council to develop criteria for inclusion in the request for proposals.

§ 3308-F. Other state funds

In accordance with guidelines developed by the Executive Department, State Planning Office, preference points must be given to grant applications for other state program funding when the application is submitted as part of a regional quality of place investment strategy as described in this chapter and Title 30A, section 2343. Except as provided in this section, nothing in this chapter is intended to change the criteria for eligibility and award of funds under other state programs.

With the assistance of the State Planning Office and in consultation with affected state agencies, the council shall develop an inventory of other state programs that might fund regional quality of place investment strategies and develop appropriate preference points to be used in the administration of those program funds.

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

29-C.

Natural and Built
Assets

Maine Quality of
Place Council

Legislative Per
Diem and Expenses
for Private Citizen
Members

Sec. A-3. Staggered terms. Notwithstanding the Maine Revised Statutes, Title 5, section 3308A, subsection 4, the initial appointments of the private citizen members of the Maine Quality of Place Council are 2 members for 2-year terms, 2 members for 3-year terms and 2 members for 4-year terms.

PART B

Sec. B-1. 30-A MRSA §2343 is enacted to read:

§ 2343. Regional quality of place investment strategies

Regional planning and development districts designated under section 2341 and having a comprehensive economic development strategy under 42 United States Code, Section 3162 shall inventory regional quality of place assets as described in subsection 1 and create a regional quality of place investment strategy as described in Title 5, chapter 311A. In executing this inventory and strategy creation, a regional planning and development district shall actively engage and involve leading representatives of natural resource-based business, tourism, recreation, land conservation, arts and culture, historic preservation, downtown revitalization, municipal, transportation and workforce development interests within the region. A regional quality of place investment strategy must identify:

1. Assets. The region's distinctive and exceptional quality of place natural and built assets including natural resource, landscape, downtown, historical and cultural assets; distinct and exceptional recreational, educational and transportation assets; and related workforce development assets;

2. Market opportunities. Sustainable market opportunities that build upon a region's quality of place assets;

3. Investments. An investment plan and initiatives to realize identified market opportunities;

4. Priorities. Priorities among the region's recommended quality of place investments and initiatives;

5. Other support. Opportunities and approaches for leveraging other public and private development activities and funds to support the requirements of this section; and

6. Implementation. A plan to achieve full implementation, monitoring and measurement of the results of the strategy.

PART C

Sec. C-1. 5 MRSA §3307-G is enacted to read:

§ 3307-G. Maine Quality of Place Council support

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

A. "Asset-based investment strategy" has the meaning set forth in Title 30A, section 3308, subsection 1.

B. "Council" means the Maine Quality of Place Council established in section 12004G, subsection 29C.

C. "Regional quality of place investment strategy" has the meaning set forth in Title 30A, section 3308, subsection 3.

D. "State quality of place investment strategy" has the meaning set forth in Title 30A, section 3308, subsection 4.

2. Support. To support the work of the council, the office shall:

A. Provide staff assistance to the council as assigned by the director;

B. In consultation with the council, develop and publish educational materials elaborating the state quality of place investment strategy and the goals set forth in Title 30A, section 3308C, subsection 1 and publish educational materials regarding asset-based investment strategies and quality of place assets;

C. In consultation with the council and affected agencies, develop tools, surveys and guides to help state agencies align their laws, programs and funding with a state quality of place investment strategy; to help assess alignment of regional quality of place investment strategies developed under Title 30A, section 2343 with a state quality of place investment strategy; and to create standard and effective performance measures to assess the success of a state quality of place investment strategy and regional quality of place investment strategies;

D. Develop and publish guides, best practices and agreements under Title 30A, section 2343 for designated regional planning and development districts for the inventory of regional quality of place assets and creation of regional quality of place investment strategies required under Title 30A, section 2343;

E. Create and maintain an inventory of state grant programs that might support implementation of regional quality of place investment strategies developed under Title 30A, section 2343;

F. In consultation with the council, develop and publish criteria for grants under the Maine Quality of Place Investment Fund established in section 3308D. The criteria must give preference to projects identified as priorities in the regional quality of place investment strategies developed under Title 30-A, section 2343; and

G. Publish criteria for Maine Quality of Place Prosperity Awards developed under section 3308C, subsection 5.

SUMMARY

Part A establishes the Maine Quality of Place Council to act as a coordinating body for state and regional quality of place investment strategies. The council consists of state and regional public agency representatives and private citizens. Its responsibilities include working with other state agencies to recommend how state agencies may align their laws, programs and funding with a state quality of place investment strategy to support regional efforts and assessing how regional quality of place investment strategies align with state efforts. The council will also create performance measures to assess state and regional quality of place investment strategies. It will also award annually Maine Quality of Place Prosperity Awards recognizing the preservation, enhancing and marketing of Maine's quality of place assets to stimulate job creation and economic prosperity.

Part A also provides definitions for both state and regional quality of place investment strategies. It establishes a fund for implementing regional quality of place investment strategies. The fund will consist of any bond proceeds and any public and private contributions received for its purpose. This Part also requires applications for other state program funds to receive preference points if they are submitted as part of a regional quality of place investment strategy.

Part B requires regional planning and development districts that have in place a United States Department of Commerce, Economic Development Administration comprehensive economic development strategy to develop a regional quality of place investment strategy by engaging regional sector leaders, setting priorities and leveraging public and private development activities and funds.

Part C requires the Executive Department, State Planning Office to provide assistance to the Maine Quality of Place Council, engage in public education regarding asset-based investment strategies and a state quality of place investment strategy and work with regional planning and development districts to aid them in development of regional quality of place investment strategies.