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An Act To Assist the Community Affected by the Closure of the Cutler Naval Base

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, portions of the former naval base in Cutler have been abandoned and unused for many years and this Act is likely to encourage prompt redevelopment of the base; and

Whereas, prompt redevelopment of this former naval base could provide many jobs in an area of high unemployment and enhance the general economy of the State; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. Cutler naval base; alternative project costs. In order to induce the successful redevelopment of the former naval base in the Town of Cutler, the Commissioner of Economic and Community Development is authorized to consider and approve an expanded range of costs as authorized project costs under the Maine Revised Statutes, Title 30-A, section 5225, subsection 1 that may be funded with tax increment financing revenues under a municipal development district.

If the commissioner determines, upon review of an application for amendment or initial approval of one or more development districts located at the former Cutler naval base, that the Town of Cutler lacks adequate uses for tax increment financing revenue authorized under Title 30-A, section 5225, subsection 1 or that the applicant would not undertake the development program but for the availability of tax increment financing revenues as outlined in the development program, the commissioner must consider and may approve alternative project costs. Alternative project costs include, but are not limited to:

1. School costs. The expenditure of tax increment financing revenues to finance and improve the schools used by residents of the Town of Cutler to make the former Cutler naval base more attractive for residential and commercial development; and

2. Public improvements. The expenditure of tax increment financing revenues for facilities, buildings or portions of buildings used predominantly for the provision of fire, police and emergency response services that are related to the development project or for buildings or open space used predominantly as community recreation facilities that are related to the development project. The commissioner may not authorize the expenditure of tax increment financing revenues for facilities, buildings, portions of buildings or open space used predominantly for the general conduct of local government.

Notwithstanding Title 30-A, section 5227, subsection 3, paragraph D, the corresponding amount of local valuation relating to alternative project costs approved by the commissioner must be included as part of the captured assessed value if approved by the commissioner.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective June 20, 2007.