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Date: (Filing No. H- )

**APPROPRIATIONS AND FINANCIAL AFFAIRS**

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

COMMITTEE AMENDMENT “ ” 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:

**'PART A**

**Sec. A-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. A-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

**COMMITTEE AMENDMENT**

1 Management Agency disaster funds; and recipients that demonstrate that the damage is not  
 2 covered by insurance and that all emergency relief currently available has been exhausted.  
 3 The administration of the funds must include sufficient documentation and record-keeping  
 4 requirements to provide assurance that funds have been awarded consistent with the  
 5 program guidelines and used for the intended purpose.

6 **Sec. A-3. Transfers from Infrastructure Adaptation Fund authorized.**

7 Funds provided under section 1 of this Part may be transferred by financial order upon the  
 8 recommendation of the State Budget Officer and approval of the Governor for purposes  
 9 described in section 1 of this Part and to facilitate the administration of the funds as  
 10 described in section 2 of this Part.

11 **Sec. A-4. Appropriations and allocations.** The following appropriations and  
 12 allocations are made.

13 **TRANSPORTATION, DEPARTMENT OF**

14 **Infrastructure Adaptation Fund Z318**

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

26 <b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
27 All Other	\$50,000,000	\$500
28		
29 OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$50,000,000</u>	<u>\$500</u>

30 **PART B**

31 **Sec. B-1. Business Recovery and Resilience Fund program established.** The  
 32 Business Recovery and Resilience Fund program is established in the Department of  
 33 Economic and Community Development to provide grant opportunities for businesses and  
 34 organizations, including nonprofit organizations, affected by severe weather-related  
 35 events.

36 **Sec. B-2. Transfer from unappropriated surplus of General Fund; Business  
 37 Recovery and Resilience Fund program, Other Special Revenue Funds**

38 **account.** Notwithstanding any provision of law to the contrary, the State Controller shall  
 39 transfer \$10,000,000 by the close of the fiscal year ending June 30, 2024 from the  
 40 unappropriated surplus of the General Fund to the Department of Economic and  
 41 Community Development, Business Recovery and Resilience Fund program, Other Special  
 42 Revenue Funds account for economic recovery and resilience grants to businesses and  
 43 nonprofit organizations within areas that were impacted in the December 18, 2023 storm,

1 the January 10, 2024 storm or the January 13, 2024 storm. Projects may include a recovery  
 2 component for damage sustained and must include efforts to increase business resilience  
 3 to future storms and other climate conditions.

4 **Sec. B-3. Administration of funds.** Funds provided under section 2 of this Part  
 5 must be administered by the Department of Economic and Community Development and  
 6 must be awarded using competitive processes. Project rating criteria may include the  
 7 viability of the business or nonprofit organization, the ability to match grant funds and the  
 8 efficacy of the recovery and resilience plan offered in the application. The award criteria  
 9 must require that recipients demonstrate that the damage or project costs are not covered  
 10 by Federal Emergency Management Agency disaster funds, or other insurance, and that the  
 11 recipient has exhausted all emergency relief funding programs currently available. The  
 12 administration of the funds must include sufficient documentation and record-keeping  
 13 requirements to provide assurance that funds have been awarded consistent with the  
 14 program guidelines and used for the intended purpose.

15 **Sec. B-4. Appropriations and allocations.** The following appropriations and  
 16 allocations are made.

17 **ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF**  
 18 **Business Recovery and Resilience Fund N491**

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

25 <b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
26 All Other	\$10,000,000	\$500
27		
28 OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$10,000,000</u>	<u>\$500</u>

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

32 **SUMMARY**

33 This amendment, which is one of 2 minority reports of the committee, replaces the bill.  
 34 As in the bill, the amendment provides \$50,000,000 to the Department of Transportation,  
 35 Infrastructure Adaptation Fund, Other Special Revenue Funds account for municipal, state  
 36 or regionally significant infrastructure adaptation, repair and improvements that support  
 37 public safety, protection of essential community assets, regional economic needs and long-  
 38 term infrastructure resiliency. This amendment provides the funding through a transfer  
 39 from the unappropriated surplus of the General Fund instead of from the Maine Budget  
 40 Stabilization Fund. This amendment also creates the Business Recovery and Resilience  
 41 Fund program within the Department of Economic and Community Development and  
 42 transfers \$10,000,000 from the unappropriated surplus of the General Fund for economic

COMMITTEE AMENDMENT “ ” to H.P. 1426, L.D. 2225

1 recovery and resilience grants for businesses and nonprofit organizations affected by the  
2 December 18, 2023 storm, the January 10, 2024 storm or the January 13, 2024 storm.

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**FISCAL NOTE REQUIRED**

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**(See attached)**