

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 §12004-G, sub-§29-C is enacted to read:

29-C. Natural and Built Assets

Natural and Built Assets	Maine Quality of Place Council	Legislative Per Diem and Expenses for Appointed Members	5 MRSA §3319
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Sec. A-2. 5 MRSA c. 311-A is enacted to read:

CHAPTER 311-A

Maine Quality of Place Investment Strategy

§ 3317. Legislative findings

The Legislature finds that a state asset-based investment strategy will complement Maine's current efforts to energize local and regional economic development. A state asset-based investment strategy will also leverage indigenous, place-based assets to enhance Maine's competitive advantage in the global economy.

The Legislature further finds that Maine's recognized quality of place is among its most powerful and promising economic assets. Tourists, vacationers, retirees, entrepreneurs, and employers and skilled workers in today's high-growth industries especially value quality of place as an attraction, making it a critical driver of economic growth and prosperity.

The Legislature further finds that Maine has a variety of promising quality of place investment initiatives underway in landscape protection, downtown revitalization, historic preservation, the creative economy, nature-, adventure-,

and heritage-based tourism, recreation and leisure, transportation and workforce development.

The Legislature further finds that to maximize the value of these and other quality of place investments, careful and continuing coordination is needed among state, regional and local agencies, as well as with the private, nonprofit and philanthropic sectors involved in creation of an effective quality of place investment strategy for Maine.

The Legislature further finds that an effective quality of place investment strategy must be market-based, locally-driven, regionally-organized, strategic from both a regional and statewide perspective and effectively evaluated for performance. It must involve broad cross-sections of people in decision-making; engage the public, private, nonprofit and philanthropic sectors in its planning, financing, implementation and evaluation; and enjoy coordinated state support.

§ 3318. Definitions

As used in this chapter 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.

3. Regional quality of place investment strategy. “Regional quality of place investment strategy” means an asset-based investment strategy that builds upon exceptional and marketable local and regional place-based assets through the methods set forth in subsection 4.

4. State quality of place investment strategy. State quality of place investment strategy” means an asset-based investment strategy that builds upon Maine’s exceptional and marketable place-based assets through landscape protection; downtown revitalization; historic preservation; support for the arts, culture and creative economy; nature-, adventure- and heritage-based tourism; outdoor recreation and leisure; access to these over public and private lands; and related infrastructure and workforce development.

§ 3319. Maine Quality of Place Council

The Maine Quality of Place Council, as established in Title 5, chapter 379, shall be an Executive Department Council.

1. Composition. The council consists of 11 members, 6 who are private citizens and 5 who are permanent members. The permanent members are the Commissioner of Economic and Community Development; the Commissioner of Transportation; the Commissioner of Conservation; the Director of the State Planning Office; and the chair of the Cultural Affairs Council.

2. Appointments. The 6 private citizens 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 citizens shall 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 development districts designated under Title 30-A, section 2341;

4. Terms. The appointed private citizen members are appointed to staggered 4-year terms. The initial appointments are: Two members for 2-year terms; 2 members for 3-year terms; and 2 members for 4-year terms. Appointed private citizen members may not serve more than 2 consecutive 4-year terms.

5. Chair. The Governor shall appoint the chair of the council.

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 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 3307-G.

§ 3320. 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 their agenda.

2. Rules. The council, acting in accordance with Title 5, chapter 375, may adopt rules it considers necessary for the conduct of its business. Council rules are routine technical rules under Title 5, section 8071.

3. Compensation. Appointed members are entitled to receive compensation equal to legislative per diem and travel expenses as allowed under

section 12004-G, subsection 29-C while engaged in board activities. The 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 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.

§ 3321. Council responsibilities

The council shall:

1. State strategy. In consultation with affected agencies, report to the Governor and Legislature prior to January 1 of each odd-numbered year with recommendations, including any recommended legislation, 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. In its report, the council shall describe how its recommendations achieve these goals:

A. To create new, high-value jobs, products and services in Maine 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 Maine's quality of place assets, both natural and built, as an economic driver.

2. Regional strategies. Assess alignment of regional quality of place investment strategies developed under Title 30-A, section 2343 with a state quality of place investment strategy.

3. Funds. Administer any funds appropriated, allocated or donated for the Maine Quality of Place Investment Fund established under section 3322.

The council's report under subsection 1 must include a description of the distribution of any funds under this subsection.

4. Measures. 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. Develop and award annually Maine Quality of Place Prosperity Awards recognizing significant contributions to preserve, strengthen, and market Maine's quality of place assets that stimulate job creation and economic prosperity.

§3322. Maine Quality of Place Investment Fund

1. Fund established. There is established the Maine Quality of Place Investment Fund that is 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 development districts described in Title 30-A, 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 30-A, 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. Implement a regional quality of place investment strategy that builds upon efforts under paragraphs B and C.

B. Inventory marketable regional quality of place natural and built assets, including:

(1) natural resources, landscape, historical and cultural assets; and

- (2) distinct and exceptional recreational, educational, transportation and renewable energy assets.

C. Create a regional quality of place investment strategy by:

- (1) identifying sustainable market opportunities that build upon a region's quality of place assets;
- (2) developing an investment strategy based on an inventory under paragraph B; and
- (3) setting priorities for the region's quality of place investments and initiatives.

§ 3323. Request for proposals

When directed by the council, the State Planning Office shall issue a request for proposals in accordance with the Bureau of General Services Rules, Chapter 110 that includes 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 State Planning Office shall consult with the council to develop criteria for inclusion in the request for proposals.

§3324. Other state funds

In accordance with guidelines developed by the 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 30-A, section 2343. Except as provided in this section, nothing in this Act 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.

Part B

30-A MRSA §2343 is enacted to read:

§ 2343. Regional quality of place investment strategies

Regional development districts designated under section 2341 and having a comprehensive economic development strategy under Section 302 of the Public Works and Economic Development Act of 1965, United States Code, Title 42, section 3162 shall inventory regional quality of place assets and create a regional quality of place investment strategy as described in Title 5, chapter 311-A. In executing this inventory and strategy creation, a regional development district shall actively engage and involve leading representatives of 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 marketable quality of place natural and built assets including natural resource, landscape, downtown, historical and cultural assets; distinct and exceptional recreational, educational, transportation assets; and related workforce development assets.

2. **Priorities.** Priorities among the region's quality of place investments and initiatives; and

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

Part C

5 MRSA §3307-G is enacted to read:

§ 3307-G. Maine Quality of Place Council support

To support the work of the Maine Quality of Place Council, referred to as "the council" in this section, under Title 30-A, chapter 311-A, the office shall:

1. **Staff.** Provide staff assistance to the council as assigned by the director;

2. **Public education.** 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 30-A, section 3318, subsection 4. Develop and publish educational materials regarding asset-based investment strategies and quality of place assets. "Asset-based investment strategy" has the meaning set forth in Title 30-A, section 3318, subsection 1,

3. Alignment and performance measurement. 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 30-A, 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. "State quality of place investment strategy" has the meaning set forth in Title 30-A, section 3318, subsection 4. "Regional quality of place investment strategy" has the meaning set forth in Title 30-A, section 3318, subsection 3.

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

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

6. Fund criteria. In consultation with the council, develop and publish criteria for grants under the Maine Quality of Place Investment Fund established in section 3322. 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.

7. Award. Publish criteria for Maine Quality of Place Prosperity Awards developed under section 3321.

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

The Maine Quality of Place Council
Recommended Legislation, December 2008

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 preservation, strengthening and marketing 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 development districts that have in place a federal 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 Maine 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 development districts to aid them in development of regional quality of place investment strategies.