

## CHAPTER 231

### FUND FOR THE EFFICIENT DELIVERY OF LOCAL AND REGIONAL SERVICES

#### §6201. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 2005, c. 266, §2 (NEW).]

**1. Commissioner.** "Commissioner" means the Commissioner of Economic and Community Development.

[PL 2017, c. 313, §1 (AMD).]

**1-A. Capital grant.** "Capital grant" means a grant award from the fund pursuant to section 6208 to cover eligible costs for a capital grant as specified in subsection 5, paragraph C.

[PL 2017, c. 313, §2 (NEW).]

**2. Cooperative services grant.** "Cooperative services grant" means a grant award from the fund pursuant to section 6208 to cover eligible costs for a cooperative services grant as specified in subsection 5, paragraph B.

[PL 2017, c. 313, §3 (AMD).]

**3. Department.** "Department" means the Department of Economic and Community Development.

[PL 2017, c. 313, §3 (AMD).]

**4. Eligible applicant.** "Eligible applicant" means a municipality, county or regional government subdivision.

[PL 2005, c. 266, §2 (NEW).]

**5. Eligible costs.** "Eligible costs" means the actual and direct expenses incurred in implementing a cooperative services grant, a capital grant or a planning grant awarded under section 6208, including expenses incurred in connection with the following activities for cooperative services grants, capital grants and planning grants.

A. Eligible costs for a planning grant include the expense of:

- (1) Studies to examine alternative methods of achieving collaboration, including those adopted by other municipalities;
- (2) Cost-benefit studies; and
- (3) Facilitation of community meetings and public outreach and education. [PL 2005, c. 266, §2 (NEW).]

B. Eligible costs for a cooperative services grant include the expense of:

- (1) Execution and implementation of an interlocal agreement under chapter 115, a tax base sharing arrangement or another regional government mechanism for achieving collaboration;
- (2) Joint strategic planning or comprehensive or capital investment planning;
- (3) Public outreach and education;
- (4) Collaboration or consolidation of offices or services;
- (5) Professional services, such as those provided by attorneys, consultants, facilitators and architects; and
- (6) Administrative services and costs, such as photocopying, printing, telephone service and travel costs. [PL 2017, c. 313, §3 (AMD).]

C. Eligible costs for a capital grant include the expense of:

- (1) Site, facility, infrastructure or utility system acquisition;
- (2) Repair, rehabilitation or renovation of existing facilities;
- (3) New construction or expansion of existing facilities; and
- (4) Purchase of major equipment or systems. [PL 2017, c. 313, §3 (NEW).]

Administrative and other costs of ongoing operations that would otherwise be budgeted by a municipality, county or regional government subdivision are not eligible costs. [PL 2017, c. 313, §3 (AMD).]

**6. Fund.** "Fund" means the Fund for the Efficient Delivery of Local and Regional Services established by section 6202.

[PL 2009, c. 213, Pt. S, §7 (AMD); PL 2009, c. 213, Pt. S, §16 (AFF).]

**7. Planning grant.** "Planning grant" means a grant award from the fund pursuant to section 6208 to cover eligible costs of developing a qualifying project for a cooperative services grant.

[PL 2005, c. 266, §2 (NEW).]

**8. Qualifying project.** "Qualifying project" means a project designed to achieve significant and sustainable savings in the cost of delivering local and regional governmental services that reduces the demand for property tax revenues through collaborative approaches to service delivery, enhanced regional delivery systems, consolidated administrative services, broad-based purchasing alliances and interlocal agreements.

[PL 2005, c. 266, §2 (NEW).]

**9. Regional government subdivision.** "Regional government subdivision" means:

A. A regional planning commission or regional council of governments established under chapter 119; or [PL 2005, c. 266, §2 (NEW).]

B. A legal entity created by interlocal agreement pursuant to chapter 115. [PL 2005, c. 266, §2 (NEW).]

[PL 2005, c. 266, §2 (NEW).]

#### SECTION HISTORY

PL 2005, c. 266, §2 (NEW). PL 2009, c. 213, Pt. S, §7 (AMD). PL 2009, c. 213, Pt. S, §16 (AFF). PL 2017, c. 313, §§1-3 (AMD).

#### §6202. Fund source; nonlapsing; dedicated, special revenue account

There is established the Fund for the Efficient Delivery of Local and Regional Services to assist those municipalities that collaborate with other municipalities, counties or state agencies to obtain savings in the cost of delivering local and regional governmental services. The fund consists of revenues transferred from the General Fund and any funds received as contributions from private and public sources. Eligible investment earnings credited to the assets of the fund become part of the assets of the fund. Any balance remaining in the fund at the end of any fiscal year must be carried forward to the next fiscal year. The fund is a dedicated, special revenue account. [PL 2009, c. 213, Pt. S, §8 (AMD); PL 2009, c. 213, Pt. S, §16 (AFF).]

#### SECTION HISTORY

PL 2005, c. 266, §2 (NEW). PL 2009, c. 213, Pt. S, §8 (AMD). PL 2009, c. 213, Pt. S, §16 (AFF).

#### §6203. Fund administration

The department shall administer the fund. The fund must be held separate and apart from all other money, funds and accounts. [PL 2005, c. 266, §2 (NEW).]

#### SECTION HISTORY

PL 2005, c. 266, §2 (NEW).

#### **§6204. Uses of fund**

Except as otherwise provided by this section, the fund is available solely for grants for qualifying projects. The department may use the fund to cover its costs of administration, including contracting for services to administer the grants. [PL 2009, c. 213, Pt. S, §9 (AMD); PL 2009, c. 213, Pt. S, §16 (AFF).]

Grant funds may not be used for reimbursement of costs or expenses incurred prior to an award from the fund. A maximum of 10% of the value of grant funds available during any year may be awarded for planning grants. [PL 2007, c. 662, §4 (AMD).]

#### SECTION HISTORY

PL 2005, c. 266, §2 (NEW). PL 2007, c. 662, §4 (AMD). PL 2009, c. 213, Pt. S, §9 (AMD). PL 2009, c. 213, Pt. S, §16 (AFF).

#### **§6205. Eligibility; intergovernmental cooperation**

In accordance with the request for proposals issued by the department under section 6209, an eligible applicant may apply for a planning grant, a capital grant or a cooperative services grant from the fund. In order to be eligible for a planning grant, a capital grant or a cooperative services grant, an eligible applicant must demonstrate in its application that the project for which it seeks a grant will be undertaken in cooperation with one or more municipalities, counties or regional government subdivisions. [PL 2017, c. 313, §4 (AMD).]

An eligible applicant may contract with nongovernmental organizations and individuals for the purpose of carrying out projects supported by the fund. [PL 2005, c. 266, §2 (NEW).]

In applying for a cooperative services grant or a capital grant, an eligible applicant must specify the type of qualifying project for which assistance is sought and how the project will reduce demand for property tax revenues. [PL 2017, c. 313, §4 (AMD).]

#### SECTION HISTORY

PL 2005, c. 266, §2 (NEW). PL 2017, c. 313, §4 (AMD).

#### **§6206. Local match**

The department may not require an eligible applicant to provide matching funds to be eligible for a cooperative services grant and may not give preference or priority to an eligible applicant whose proposal provides matching funds. [PL 2005, c. 266, §2 (NEW).]

The department may require an eligible applicant to provide matching funds for a capital grant if suggested by the review panel during consultation required under section 6208, subsection 1. [PL 2017, c. 313, §5 (NEW).]

The department shall require an eligible applicant to provide matching funds for a planning grant in an amount not less than the total grant award requested. [PL 2007, c. 662, §5 (AMD).]

#### SECTION HISTORY

PL 2005, c. 266, §2 (NEW). PL 2007, c. 662, §5 (AMD). PL 2017, c. 313, §5 (AMD).

#### **§6207. Funding criteria**

**1. Planning grants.** In evaluating and ranking an application for a planning grant, the review panel established under section 6208 shall consider whether the technical assistance and facilitation for which assistance is sought is reasonably likely to result in development and subsequent submission of a proposal for a qualifying project; the projected estimate of the aggregate reduction in the demand for property tax revenue; and other related factors in accordance with a request for proposals issued by the department under section 6209.

[PL 2005, c. 266, §2 (NEW).]

**2. Cooperative services grants; capital grants.** In evaluating and ranking each application for a cooperative services grant or a capital grant, the review panel established under section 6208 shall consider the aggregate reduction in the demand for property tax revenue in the geographical region covered by the municipalities, counties and regional government subdivisions cooperating in the qualifying project, the chance of success of the project and the ability to replicate the efficiency achieved by the project in other regions; and other related factors in accordance with a request for proposals issued by the department under section 6209.

[PL 2017, c. 313, §6 (AMD).]

#### SECTION HISTORY

PL 2005, c. 266, §2 (NEW). PL 2017, c. 313, §6 (AMD).

#### §6208. Review panel; review and decision on grant applications

**1. Composition of review panel.** A review panel is established consisting of the following members:

A. [PL 2011, c. 655, Pt. EE, §20 (RP); PL 2011, c. 655, Pt. EE, §30 (AFF).]

B. The commissioner or the commissioner's designee; [PL 2005, c. 266, §2 (NEW).]

C. A representative of the Department of Administrative and Financial Services, appointed by the Governor; [PL 2017, c. 313, §7 (AMD).]

D. One representative of a county or regional government subdivision recommended by a statewide organization representing counties or regional service providers, appointed by the Governor; [PL 2005, c. 266, §2 (NEW).]

E. Two representatives of municipal government, recommended by the Maine Municipal Association, who currently serve or formerly served as municipal officers or chief administrative officials of municipalities, with one representing a rural community with a population of less than 4,000 and one representing a suburban community with a population of 4,000 or more, appointed by the Governor; and [PL 2005, c. 266, §2 (NEW).]

F. One representative of a service center community recommended by the Maine Service Centers Coalition or its successor organization, appointed by the Governor. [PL 2005, c. 266, §2 (NEW).]  
[PL 2017, c. 313, §7 (AMD).]

**2. Review panel duties.** The review panel established in subsection 1 shall:

A. Determine whether each eligible applicant for a cooperative services grant, a capital grant or a planning grant meets the eligibility criteria under section 6205 and provide written notice to that applicant of its eligibility determination; and [PL 2017, c. 313, §8 (AMD).]

B. In accordance with the request for proposals issued under section 6209, review and rank proposals from applicants eligible for cooperative services grants, capital grants and planning grants under section 6205 against the funding criteria defined in section 6207 and award cooperative services grants, capital grants or planning grants to proposals that best meet the funding criteria in section 6207 subject to availability of funding. [PL 2017, c. 313, §8 (AMD).]

Prior to issuing the request for proposals as provided in section 6209, the department shall consult with the review panel, which may suggest criteria for consideration by the department.

[PL 2017, c. 313, §8 (AMD).]

#### SECTION HISTORY

PL 2005, c. 266, §2 (NEW). PL 2011, c. 655, Pt. EE, §20 (AMD). PL 2011, c. 655, Pt. EE, §30 (AFF). PL 2017, c. 313, §§7, 8 (AMD).

#### **§6209. Request for proposals**

No later than November 1st of each year, the department shall issue a request for proposals in accordance with the Department of Administrative and Financial Services, 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 department shall provide reasonable notice to all eligible applicants about the availability of the fund and the solicitation of grant proposals.

[PL 2017, c. 313, §9 (AMD).]

#### SECTION HISTORY

PL 2005, c. 266, §2 (NEW). PL 2017, c. 313, §9 (AMD).

#### **§6210. Report**

**(REPEALED)**

#### SECTION HISTORY

PL 2005, c. 222, §4 (REV). PL 2005, c. 266, §2 (NEW). PL 2009, c. 30, §3 (RP).

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