

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

FIRST REGULAR SESSION
December 3, 2008 to June 13, 2009

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 12, 2009

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2009

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

Effective May 14, 2009.

CHAPTER 42

H.P. 582 - L.D. 846

**Resolve, Directing the
Department of Transportation
To Study Ways To Reduce
Energy Use and Promote
Efficiency along Major
Transportation Corridors**

Sec. 1. Develop recommendations on existing transportation laws, rules and policies.

Resolved: That the Department of Transportation shall evaluate existing transportation laws, rules and policies, including, but not limited to, those that address transportation facility planning and design, traffic movement, driveways and entrances, urban compact designation and cost sharing and transit operations, identifying their strengths and weaknesses and how they might be changed to meet the objective of saving energy, measured principally by reduction in vehicle miles traveled, by maintaining arterial functions, improving system efficiency, reinforcing land use patterns that facilitate transit development and improving connections between land use and transportation decisions.

The evaluation must be conducted in collaboration with the Executive Department, State Planning Office and the Department of Environmental Protection and other state agencies that determine land use patterns along with the Maine Municipal Association, regional planning entities, metropolitan planning organizations, regional planning commissions and interest groups affected by those transportation laws, rules and policies.

Wherever it might be shown to advance this section, the evaluation must consider:

1. Overlay zoning districts for corridors of regional economic significance for transportation;
2. Costs and benefits of purchasing land or easements, including access easements, along such corridors;
3. Transfer of development or trip rights programs to level the playing field between high-growth and low-growth arterial areas;
4. Costs and benefits of urban compact designation;
5. Feasibility of developing so-called "complete streets"; and

6. Other land use and transportation strategies designed to reduce growth in vehicle miles traveled and greenhouse gas emissions, including transportation funding options; and be it further

Sec. 2. Report. Resolved: That the Department of Transportation shall submit a comprehensive written report concerning the evaluation under section 1 by January 31, 2010 including detailed recommendations for legislation. This report must be submitted to both the Joint Standing Committee on Transportation and the Joint Standing Committee on Natural Resources. Upon receipt and review of the report, the committees may submit legislation to the Second Regular Session of the 124th Legislature.

See title page for effective date.

CHAPTER 43

H.P. 548 - L.D. 812

**Resolve, Pertaining to Vacation
Leave Earned by Seasonal
Employees of the Baxter State
Park Authority**

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

Whereas, it is necessary that this legislation be enacted for the upcoming season in order to avoid undue financial and administrative hardships for seasonal employees of the Baxter State Park Authority; 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

Sec. 1. Vacation leave; seasonal employees; Baxter State Park Authority. Resolved:

That the Department of Administrative and Financial Services, Bureau of Human Resources shall amend its rules pertaining to holidays, leaves of absence and related compensation practices to provide that a seasonal employee of the Baxter State Park Authority may, at the conclusion of seasonal work each year and at the seasonal employee's option, elect to be paid for the number of working days of unused vacation leave and overtime accumulated to the seasonal employee's credit. Election of this option by a seasonal employee of the Baxter State Park Authority may not be construed as an interruption in state service if the employee returns to classified or unclassified employment in any capacity within one year.

Rules adopted under this section are routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A; and be it further

Sec. 2. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

BAXTER STATE PARK AUTHORITY

Baxter State Park Authority 0253

Initiative: Provides an allocation for savings associated with paying out unused vacation to seasonal employees and foregoing hiring of the roving ranger position.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	(\$6,795)	(\$6,795)
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OTHER SPECIAL REVENUE FUNDS TOTAL	(\$6,795)	(\$6,795)

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

Effective May 15, 2009.

CHAPTER 44

S.P. 486 - L.D. 1351

**Resolve, To Name the Bridge in
Orland the Ralston C. Gray
Bridge**

Sec. 1. Ralston C. Gray Bridge. Resolved: That the part of State Route 175, also known as Castine Road, that crosses the Narramissic River in the Town of Orland be named the Ralston C. Gray Bridge to honor the memory of the late Ralston C. Gray, life-long Orland resident.

See title page for effective date.

CHAPTER 45

H.P. 856 - L.D. 1236

**Resolve, Regarding Legislative
Review of the Proposed Plan
Dated March 19, 2009
Submitted by the Maine State
Housing Authority for the Use
of Federal Energy Stimulus
Funds**

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until

90 days after adjournment unless enacted as emergencies; and

Whereas, Resolve 2009, chapter 1, section 2, subsection 2 requires legislative review and action upon proposed plans for the use of energy stimulus funds that are not subject to state legislative allocation; and

Whereas, the Maine State Housing Authority has submitted to the Legislature for review its proposed plan dated March 19, 2009 for the use of those funds; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on the proposed plan; 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

Sec. 1. Approval. Resolved: That the Legislature approves the proposed plan for the use of federal energy stimulus funds developed by the Maine State Housing Authority and presented in the attachments to the April 22, 2009 memorandum from the Maine State Housing Authority to the Joint Select Committee on Maine's Energy Future.

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

Effective May 15, 2009.

CHAPTER 46

H.P. 1029 - L.D. 1478

**Resolve, Regarding Legislative
Approval of the Public Utilities
Commission's Plan for the Use
of American Recovery and
Reinvestment Act of 2009
Funds**

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

Whereas, Resolve 2009, chapter 1 requires legislative review and action upon proposed plans for the use of federal American Recovery and Reinvestment Act of 2009 funds that are subject to state legislative allocation; and

Whereas, the State is eligible to apply to the Federal Government for a federal American Recovery