

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1075

H. P. 837

House of Representatives, February 26, 1969

On motion of Mr. Benson of Southwest Harbor referred to the Committee on Natural Resources. Sent up for concurrence and ordered printed.

BERTHA W. JOHNSON, Clerk

Presented by Mr. Lund of Augusta.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Establishing a Scenic Highway Board.

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

Sec. 1. R. S., T. 23, c. 3, sub-c. VI, additional. Chapter 3 of Title 23 of the Revised Statutes is amended by adding a new subchapter VI, to read as follows :

SUBCHAPTER VI
SCENIC HIGHWAY BOARD

§ 231. Intent

The State of Maine possesses vast and unique scenic resources which contribute to the economic well-being of the State and provide pleasure to its citizens and visitors. It is the policy of the State to preserve and enhance these scenic values commensurate with controlled economic development to provide for a compatible atmosphere for growth. Action is needed to maintain for the benefit of future generations the essential characteristics of the Maine countryside.

§ 232. Purpose

The purpose of this subchapter is to establish a system of scenic highways in the State of Maine and preserve the scenic values along said system.

§ 233. Scenic Highway Board

There is created a Scenic Highway Board, hereinafter in this chapter referred to as the "board", which shall be composed of the Chairman of the State Highway Commission, the Director of Parks and Recreation, the Com-

missioner of Sea and Shore Fisheries, the Commissioner of Inland Fisheries and Game, the Forest Commissioner, the Commissioner of the Department of Economic Development and the Director of State Planning or their delegates. The Governor shall appoint a member representing conservation groups, a member representing the outdoor advertising industry of Maine, a member representing the vacation-travel industry, a member representing municipal governments and a member from the general public. These appointive members shall serve for terms of 3 years, except the Governor shall appoint the members initially so that the term of one member shall end in one year, 2 members shall end in 2 years and 2 members in 3 years. The Governor shall appoint a chairman of the board. The board shall meet at the call of the Governor, the chairman or a majority of the members. A representative of the State Highway Commission shall be selected by the commission to serve as secretary of the board.

The appointive members of the Scenic Highway Board shall receive no compensation for their services but may be reimbursed for their actual and necessary traveling expenses.

§ 234. Duties

1. Procedures. The board shall develop and adopt procedures, rules and regulations for the designation and development of a system of scenic highways and the preservation of the scenic value in the highway corridor. The board shall consider at least the following factors in establishing procedures for the designation of said system of scenic highways:

A. Scenic value. The board shall establish procedures to evaluate the scenic quality of proposed routes to assure that the routes warrant designation;

B. Safety. The board shall consider the safety aspects of any route designation relative to the proposed usage of the highway and the travel speeds thereon;

C. Description. Adequate procedures shall be developed to direct the motorist to and from said scenic highways;

D. Economic impact. The board shall consider the economic implications of any such designation, both along the highway so designated and any highway which traffic may by-pass to travel on the designated scenic highway;

E. Preservation. The board shall work with local municipalities and other state agencies to assure the preservation of the scenic values in the highway corridor. The board may rescind any scenic highway designation when it shall determine that such preservation is not being achieved;

F. Natural resources planning. Compatibility with other conservation plans shall be considered in the designation of scenic highways.

2. Designations. The board shall designate such highways as it deems meets at least the criteria listed in subsection 1 as scenic highways. No such

designation shall be made until 30 days following a public hearing held by the board. Regulations relative to such public hearings shall be established by the board.

3. **Recommendations.** The board may recommend to the State Highway Commission, the Parks and Recreation Commission and the Forestry Department areas where rest areas, picnic areas, scenic overlooks and other developments would enhance the scenic value and use of the highway corridor. Such recommendations shall not be binding on said agencies.

4. **Reports.** The board shall report biennially to the Governor and Legislature. The board shall develop and recommend such legislation as may be required to meet the objectives of this subchapter.

§ 235. Responsibilities of State Highway Commission

The effects of this subchapter shall not diminish the responsibilities of the State Highway Commission regarding directional signing, the control of outdoor advertising, the acquisition of scenic easements and other right-of-way and construction activities.

Sec. 2. Appropriation. There is appropriated from the Unappropriated General Highway Fund Surplus to the Scenic Highway Board the sum of \$1,500 for the fiscal year ending June 30, 1970 and the sum of \$1,500 for the fiscal year ending June 30, 1971 to carry out the purposes of this Act.