

MAINE STATE LEGISLATURE

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DATE: June 5, 1999

(Filing No. S-458)

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STATE OF MAINE
SENATE
119TH LEGISLATURE
FIRST REGULAR SESSION

SENATE AMENDMENT " A " to COMMITTEE AMENDMENT "A" to H.P. 226, L.D. 304, "Resolve, to Establish the State Office Building Location Task Force"

Amend the amendment by striking out the substitute title and replacing it with the following:

'Resolve, to Establish the Task Force on State Office Building Location, Other State Growth-related Capital Investments and Patterns of Development'

Further amend the amendment by striking out everything after the substitute title and before the last indented paragraph before the fiscal note and inserting in its place the following:

'Further amend the resolve by striking out everything after the title and before the summary and inserting in its place the following:

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

Whereas, both service center communities that are the State's job centers and rural communities whose lands support natural resource-based enterprises are essential to the State's economy; and

Whereas, the health of these communities and their lands and the costs of delivering public services are affected by state policies on capital investments, taxation, regulation and the location of state office buildings; and

2 **Whereas**, there is a growing tendency for public agencies to
4 shift locations of their offices away from downtown areas of
6 service center communities to suburban communities and to make
other growth-related capital investments away from these downtown
areas; and

8 **Whereas**, these relocations and redirection of other state
10 investments may have a devastating impact on the economic and
12 social vitality of downtown areas or service center communities
or bring about undesirable patterns of development; and

14 **Whereas**, a long-standing goal of the State, as expressed in
16 the Maine Revised Statutes, Title 30-A, section 4312, is to
18 encourage orderly growth and development in appropriate areas of
each community while protecting the State's rural character,
making efficient use of public services and preventing
development sprawl; and

20 **Whereas**, a study of these issues must be initiated promptly
22 in order that the study may be completed and a report submitted
in time for the next legislative session; and

24 **Whereas**, in the judgment of the Legislature, these facts
26 create an emergency within the meaning of the Constitution of
28 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
safety; now, therefore, be it

30 **Sec. 1. Task force established. Resolved:** That the Task Force on
32 State Office Building Location, Other State Growth-related
34 Capital Investments and Patterns of Development, referred to in
this resolve as the "task force," is established; and be it
further

36 **Sec. 2. Membership. Resolved:** That the task force consists of
38 13 members appointed as follows.

40 1. The President of the Senate shall appoint 5 members from
42 the Senate, including one from each of the following committees:
44 the Joint Standing Committee on Natural Resources, the Joint
Standing Committee on Business and Economic Development, the
46 Joint Standing Committee on Transportation, the Joint Standing
Committee on Taxation and the Joint Standing Committee on
Agriculture, Conservation and Forestry.

48 2. The Speaker of the House of Representatives shall
50 appoint 8 members from the House of Representatives, including at
least one from each of the following committees: the Joint
Standing Committee on Natural Resources, the Joint Standing

H. of S.

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 226,
L.D. 304

2 Committee on Business and Economic Development, the Joint
Standing Committee on Transportation, the Joint Standing
4 Committee on Taxation, the Joint Standing Committee on
Agriculture, Conservation and Forestry, the Joint Standing
6 Committee on State and Local Government and the Joint Standing
Committee on Education and Cultural Affairs; and be it further

8 **Sec. 3. Chairs. Resolved:** That the first Senate member named
is the Senate chair and the first House member named is the House
10 chair; and be it further

12 **Sec. 4. Appointments; meetings. Resolved:** That all appointments
must be made no later than 30 days following the effective date
14 of this resolve. The appointing authorities shall notify the
Executive Director of the Legislative Council upon making their
16 appointments. The chairs of the task force shall call and
convene the first meeting of the task force within 30 days of the
18 date that the last member is appointed. The task force may hold
up to 6 meetings and shall conduct at least one public hearing on
20 its recommendations prior to submitting its final report to the
Legislature; and be it further

22 **Sec. 5. Responsibilities. Resolved:** That the responsibilities of
24 the task force include:

26 1. Reviewing legislation relating to patterns of
development carried over by the First Regular Session of the
28 119th Legislature and making findings on the following issues:

30 A. The role of state office buildings in the continued
viability of downtown service centers within the State and
32 the impact of growth-related capital investments and
location decisions by the State, drawing on the concepts
34 contained in Legislative Document 1080, "An Act to Direct
State Capital Investments to Locally Designated Growth
36 Areas," and Legislative Document 1414, "Resolve, to Support
Downtown Revitalization through the Location of State
38 Facilities and Targeting Economic Development Funding";

40 B. Fiscal policies that may have the effect of pushing
rural lands out of productive use, including issues raised
42 in Legislative Document 544, "An Act to Value Homestead
Exemption Farm Land at Current Use," placing unintended
44 burdens on service center communities or promoting
development sprawl;

46 C. Coordination of state and local urban transportation
48 planning and streamlining of local and state land use rules
and regulations, including highway access management, to

SENATE AMENDMENT

RWS

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permit and encourage efficient neighborhood and economic development in growth areas;

D. The productive use of farms and woodlands and the preservation of open space around urbanizing areas, including issues raised in Legislative Document 449, "An Act Requiring Disclosures to be Made to Purchasers of Land Abutting Agricultural Land"; and

E. Such other areas as the task force considers appropriate.

In making its findings, the task force shall draw upon past work of the Legislature and state agencies, including the recommendations of the Task Force on Regional Service Center Communities contained in its September 1998 report, "Reviving Service Centers," and the findings of the State Planning Office in its May 1997 report, "The Cost of Sprawl";

2. Assessing how other states have responded to these issues; and

3. Based on its findings, making recommendations to the Legislature concerning pending legislation and, as necessary to implement its findings, preparing legislation to promote orderly development, to ensure that state offices continue to enhance the historic role of downtowns, to strengthen the State's regional service center communities, to promote rural enterprise and preserve the open lands on which rural enterprise depends and to discourage development sprawl. In preparing its recommendations, the task force shall rely to the greatest extent possible on nonregulatory means to achieve these objectives, including tax policies, financial incentives and disincentives, capital investment policies, streamlining of regulations for development proposed in locally designated growth areas, downtown and historic preservation reinvestment policies, right-to-farm provisions and similar mechanisms. The task force shall make recommendations consistent with the goals and local planning mechanisms of the Maine Revised Statutes, Title 30-A, sections 4301 to 4349; and be it further

Sec. 6. Working groups. Resolved: That the task force shall form advisory working groups from among affected agencies, trade organizations, organizations devoted to economic growth and environmental protection and the public to help carry out its responsibilities; and be it further

Sec. 7. Compensation. Resolved: That members of the task force are entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of the task force. Participants in the

SENATE AMENDMENT

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 226,
L.D. 304

advisory working groups serve without compensation; and be it
further

Sec. 8. Staff assistance. Resolved: That, upon approval of the
Legislative Council, the Office of Policy and Legal Analysis
shall provide necessary staffing services to the task force; and
be it further

Sec. 9. Reporting dates. Resolved: That the task force shall
submit its report by December 15, 1999, together with any
implementing legislation, to the joint standing committees of the
Legislature represented on the task force. If the task force
requires an extension of time to submit its reports or
legislation, it may apply to the Legislative Council, which may
grant the extension; and be it further

Sec. 10. Task force budget. Resolved: That the chairs of the
task force, with assistance from the task force staff, shall
administer the task force's budget. Within 10 days after its
first meeting, the task force shall present a work plan and
proposed budget to the Legislative Council for approval. The
task force may not incur expenses that would result in the task
force's exceeding its approved budget; and be it further

Sec. 11. Appropriation. Resolved: That the following funds are
appropriated from the General Fund to carry out the purposes of
this resolve.

1999-00

LEGISLATURE

**Task Force on State Office Building
Location, Other State Growth-related
Capital Investments and Patterns of Development**

Personal Services	\$4,290
All Other	4,400

Provides funds for the per
diem and expenses of
legislative members of the
Task Force on State Office
Building Location, Other
State Growth-related Capital
Investments and Patterns of
Development and to print the
required report.

**LEGISLATURE
TOTAL**

\$8,690

2 **Emergency clause.** In view of the emergency cited in the
preamble, this resolve takes effect when approved.' '


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FISCAL NOTE

8 This amendment increases the cost of the bill by \$4,515 in
fiscal year 1999-00. As amended, this resolve includes an
10 additional General Fund appropriation of \$8,690 in fiscal year
1999-00 for the Legislature for the per diem and expenses of
12 legislative members of the Task Force on State Office Building
Location, Other State Growth-Related Capital Investments and
Patterns of Development and to print the required report.

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16 The additional costs associated with providing staffing
assistance to the task force during the interim between
18 legislative sessions can be absorbed by the Legislature utilizing
existing budgeted resources. If the task force requires staffing
20 assistance during the legislative session, the Legislature may
require an additional General Fund appropriation to contract for
staff services.

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SUMMARY

26 This amendment changes the title of the resolve and the name
of the task force created by the resolve. The amendment changes
28 the membership of the task force to include 13 Legislators and
expands the task force's duties to include making findings on
30 growth-related capital investments, fiscal policies, coordination
of state and local urban transportation planning and the
32 productive use of farms and woodlands and the preservation of
open space. The amendment authorizes the task force to hold up
34 to 6 meetings, including at least one public hearing. The
amendment also adds an appropriation section, an emergency
36 preamble and an emergency clause to the resolve.

38
40 SPONSORED BY: 
(Senator MICHAUD)

42 COUNTY: Penobscot