

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 463

H.P. 355

House of Representatives, February 4, 2003

An Act to Enhance Integration of Transportation and Land Use Planning

Reference to the Committee on Transportation suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative McLAUGHLIN of Cape Elizabeth.
Cosponsored by Senator DAMON of Hancock and
Representatives: BARSTOW of Gorham, DAIGLE of Arundel, KOFFMAN of Bar Harbor,
SUSLOVIC of Portland, USHER of Westbrook, Senators: HALL of Lincoln, HATCH of
Somerset, YOUNGBLOOD of Penobscot.

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

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Sec. 1. 23 MRSA §73, sub-§4, as enacted by IB 1991, c. 1, §1, is amended to read:

4. Rulemaking. The Department of Transportation shall adopt a rule within one year of the effective date of this Act, in coordination with the Maine Turnpike Authority and state agencies including the Department of Economic and Community Development, the State Planning Office and the Department of Environmental Protection, to implement the statewide comprehensive transportation policy. The rule must incorporate a public participation process that provides municipalities and other political subdivisions of the State and members of the public notice and opportunity to comment on transportation planning decisions, capital investment decisions, project decisions and compliance with the statewide transportation policy.

The Department of Transportation shall adopt a rule, in coordination with the State Planning Office, that establishes linkage between the planning processes outlined in this section and those promoted by Title 30-A, chapter 187, subchapter 2 and that promotes investment incentives for communities that adopt and implement land use plans that minimize over-reliance on the state highway network. This rule is a major substantive rule as defined in Title 5, chapter 375, subchapter 2-A.

SUMMARY

This bill requires the Department of Transportation to adopt a major substantive rule that establishes linkage between the Sensible Transportation Policy Act and comprehensive planning and land use regulation laws. The rule must also promote investment incentives for communities that adopt and implement land use plans that minimize over-reliance on the state highway network.