

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

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

J.S. McCarthy Company
Augusta, Maine
1999

Sec. 1. Set aside funds. Resolved: That the funds from the Temporary Assistance for Needy Families block grant set aside by the 118th Legislature to provide a safety net for an unexpected number of low-income families in Maine who might become eligible for this benefit must be considered encumbered for the purposes for which the funds were allocated.

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

Effective June 10, 1999.

CHAPTER 62

H.P. 1258 - L.D. 1812

Resolve, to Require the Development of a Basic Needs Budget

Sec. 1. Resolve 1997, c. 36, §1, last sentence, amended. Resolved: That Resolve 1997, c. 36, §1, last sentence, is amended to read:

The report must include information on poverty among children and adults, regional differences in poverty rates and indicators, conditions responsible for changes from the prior year, expectations for the coming year and the economic condition of the State's communities; and be it further

; and be it further

Sec. 2. Resolve 1997, c. 36, §2, enacted. Resolved: That Resolve 1997, c. 36, §2, is enacted to read:

Sec. 2. Basic needs budget. Resolved: That the Executive Department, State Planning Office, in cooperation with the Department of Human Services, shall develop and publish an annual basic needs budget for a single parent with 2 children that includes the following expenditure categories: housing, transportation, child care, health care insurance and out-of-pocket health care expenses, clothing, food, personal care and recreation. This annual basic needs budget must include a brief description of the expense assumptions used for each of the expenditure categories and a calculation of the annual, monthly, weekly and hourly income needed to meet this basic needs budget.

See title page for effective date.

CHAPTER 63

H.P. 226 - L.D. 304

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

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

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

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

Whereas, a long-standing goal of the State, as expressed in the Maine Revised Statutes, Title 30-A, section 4312, is to 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

Whereas, a study of these issues must be initiated promptly in order that the study may be completed and a report submitted in time for the next legislative session; 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. Task force established. Resolved: That the Task Force on State Office Building Loca-

tion, Other State Growth-related Capital Investments and Patterns of Development, referred to in this resolve as the "task force," is established; and be it further

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

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

2. The Speaker of the House of Representatives shall 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 Committee on Business and Economic Development, the Joint Standing Committee on Transportation, the Joint Standing Committee on Taxation, the Joint Standing Committee on Agriculture, Conservation and Forestry, the Joint Standing Committee on State and Local Government and the Joint Standing Committee on Education and Cultural Affairs; and be it further

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

Sec. 4. Appointments; meetings. Resolved: That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council upon making their appointments. The chairs of the task force shall call and convene the first meeting of the task force within 30 days of the 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 its recommendations prior to submitting its final report to the Legislature; and be it further

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

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

A. The role of state office buildings in the continued viability of downtown service centers within the State and the impact of growth-related

capital investments and location decisions by the State, drawing on the concepts contained in Legislative Document 1080, "An Act to Direct State Capital Investments to Locally Designated Growth Areas," and Legislative Document 1414, "Resolve, to Support Downtown Revitalization through the Location of State Facilities and Targeting Economic Development Funding";

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

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

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

Effective June 10, 1999.

CHAPTER 64

S.P. 571 - L.D. 1638

**Resolve, to Review Traffic
Congestion Including Truck Traffic
along the Route 1 York Corridor and
Route 236 Corridor**

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

Whereas, traffic congestion, including heavy truck traffic, along U.S. Route 1, Route 236 and other roadways in York County increases greatly each year during the summer and fall months; and

Whereas, the traffic congestion slows travel for Maine residents and tourists, creates noise and other environmental problems along the U.S. Route 1 York corridor, the Route 236 corridor and other area roadways and adversely affects area lodging and other commercial establishments; and

Whereas, review and study of issues related to traffic congestion are necessary to improve safety and convenience for all travelers and the quality of life for residents living along the U.S. Route 1 York corridor, the Route 236 corridor and area roadways; and

Whereas, emergency legislation is needed to begin the study promptly and to ensure that the issue is carefully considered; and