

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

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

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. Commission established. Resolved: That the Commission to Review Traffic Congestion Along the U.S. Route 1 York Corridor and the Route 236 Corridor, referred to in this resolve as the "commission," is established; and be it further

Sec. 2. Membership. Resolved: That the commission consists of 11 members appointed as follows:

1. The President of the Senate shall appoint 2 members from the Senate, one of whom serves on the Joint Standing Committee on Transportation and one of whom represents a Senate district in York County;

2. The Speaker of the House shall appoint 2 members from the House of Representatives, one of whom serves on the Joint Standing Committee on Transportation and one of whom represents a House district in the York County area;

3. A representative of each of the following towns, designated by the manager of each town: Berwick, Eliot, Kittery, Ogunquit, South Berwick, Wells and York; and be it further

4. The chiefs of police for the towns of Kittery, Ogunquit, Wells and York or their designees; and be it further

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

Sec. 4. Convening of commission. Resolved: That all appointments to the commission 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. When the appointment of all members is completed, the chairs of the commission shall call and convene the first meeting of the commission, which may occur no earlier than 5 days following adjournment sine die of the Legislature but no later than July 15, 1999; and be it further

Sec. 5. Duties. Resolved: That the commission shall conduct a comprehensive review of the following:

1. Past, current and projected traffic flows and patterns along U.S. Route 1, Route 236, the Maine

Turnpike and other major roadways in the York County area between Kittery and Berwick and between Kittery and Wells;

2. Vehicular accident rates in the U.S. Route 1 York and the Route 236 corridors;

3. Noise and dust pollution resulting from traffic and its effects on area businesses and residents;

4. Traffic weigh station activities, truck violations and the extent of traffic diverted from the Maine Turnpike in the York County area to avoid weigh station inspections;

5. Current local roadway signage, traffic signals, local traffic conditions and patterns and the increased number of curb cuts and their effect on traffic congestion;

6. Traffic patterns of nonlocal traffic, including long-distance carriers that may affect traffic congestion; and

7. State and local law enforcement coverage along the U.S. Route 1 York and the Route 236 corridors; and be it further

Sec. 6. Participation by state departments. Resolved: That, in studying these matters, the commission shall invite the participation of the Commissioner of Public Safety, the Commissioner of Transportation and the Executive Director of the Maine Turnpike Authority, or their designees. The commission may require the Department of Transportation, the Department of Public Safety and the Maine Turnpike Authority to provide the commission with such highway, traffic and other information as it determines necessary and beneficial to conduct its study of traffic congestion. In addition, the commission may seek relevant information from experts and interested persons; and be it further

Sec. 7. Meetings. Resolved: That, in conducting its duties, the commission may meet at such times and locations as approved by the President of the Senate and the Speaker of the House of Representatives, except that at least 2 informational meetings of the commission must be held in York County; and be it further

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

Sec. 9. Compensation. Resolved: That legislative members are entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of the commission. Public members not otherwise

compensated by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses for their attendance at authorized meetings of the commission; and be it further

Sec. 10. Reporting date. Resolved: That the commission shall conclude its review and submit a report of its findings and recommendations, along with any suggested legislation, to the Joint Standing Committee on Transportation and to the Commissioner of Transportation by November 15, 1999. If the commission finds it is unable to meet its reporting date, the chairs shall submit to the Legislative Council, in writing, a request for extension of the reporting date, the reasons an extension is requested and a proposed new reporting date prior to the reporting date. The Legislative Council may grant an extension. Upon the submission of its required report, the commission terminates; and be it further

Sec. 11. Commission budget. Resolved: That the chairs of the commission, with assistance from the commission staff, shall administer the commission's budget. Within 10 days after its first meeting, the commission shall present a work plan and proposed budget to the Legislative Council for its approval. The commission may not incur expenses that would result in the commission exceeding its approved budget.

Upon request from the commission, the Executive Director of the Legislative Council or the Executive Director's designee shall provide the commission chairs and staff with a status report on the study budget, expenditures incurred and paid and available funds; and be it further

Sec. 12. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1999-00

LEGISLATURE

Commission to Review Traffic Congestion Along the U.S. Route 1 York Corridor

Personal Services	\$1,100
All Other	3,500
Provides funds for the per diem and expenses of legislative members of the Commission to Review Traffic Congestion Along the U.S. Route 1 York Corridor and	

funds to hold 2 public meetings and print the required report.

LEGISLATURE

TOTAL \$4,600

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

Effective June 10, 1999.

CHAPTER 65

H.P. 1017 - L.D. 1428

Resolve, to Create the Commission to Study the Enhancement of Fire Protection Services throughout the State

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

Whereas, firefighters provide the State with many valuable services and training, and incentives are crucial to the continued provision of these services; and

Whereas, public safety and public health will be improved for all Maine residents by enhancing fire protection services across the State;

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. Commission established. Resolved: That the Commission to Study the Enhancement of Fire Protection Services throughout the State, referred to in this resolve as the "commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of 6 members appointed as follows:

1. The President of the Maine Fire Chiefs Association or the president's designee;
2. The President of the Professional Firefighters of Maine or the president's designee;