

# MAINE STATE LEGISLATURE

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L.D. 1181

(Filing No. H- 558 )

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
112TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 837, L.D. 1181, Bill, "AN ACT to Strengthen State-local Cooperation through Regional Councils."

Amend the bill in section 2 in paragraph E in the 3rd line (page 2, line 7 in L.D.) by inserting after the word "corporations" the following: ', counties'

Further amend the bill in section 5 in that part designated "§1991." in the 4th line (page 2, line 29 in L.D.) by inserting after the underlined word "its" the underlined words 'counties and' and in the 6th line (page 2, line 31 in L.D.) by inserting after the underlined word "state" the following: ', county' and in the 9th line (page 2, line 34 in L.D.) by inserting after the underlined words "capacities of" the underlined words 'counties and' and in the last line (page 2, line 37 in L.D.) by inserting after the underlined word "between" the following: 'counties,'

Further amend the bill in section 5 in that part designated "§1996." in the 3rd line from the end (page 6, line 24 in L.D.) by striking out the underlined word "municipalities" and inserting in its place the underlined word 'members'

Further amend the bill in section 5 in that part designated "§1996-B." in the first paragraph in the first line (page 6, line 34 in L.D.) by inserting after the underlined word "The" the following: 'municipal members of the'

Further amend the bill in section 5 in that part designated "§1996-B." in the first paragraph by striking out all of the 4th underlined sentence and inserting in its place the following:

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1 'At least one representative for each municipality  
2 regardless of size shall be a municipal officer or a  
3 designee elected by a majority vote of the municipal  
4 officers, this designee to serve at the pleasure of  
5 the municipal officers.'

6 Further amend the bill in section 5 in that part  
7 designated "§1996-B." by striking out all of the 2nd  
8 and 3rd paragraphs (page 7, lines 15 to 24 in L.D.)  
9 and inserting in their place the following:

10 'A regional planning commission shall, in its by-  
11 laws, make available voting membership to any county  
12 within its regional planning and development district  
13 or subdistrict. Each member county shall have 2 rep-  
14 resentatives, to be appointed by vote of the county  
15 commissioners. The commission may by bylaw provide  
16 for one alternate representative for each member.'

17 Further amend the bill in section 5 in that part  
18 designated "§1997-A." in the first paragraph in the  
19 3rd line (page 7, line 38 in L.D.) by striking out  
20 the underlined word "municipality"

21 Further amend the bill by striking out all of  
22 section 8 and inserting in its place the following:

23 'Sec. 8. Appropriation. The following funds are  
24 appropriated from the General Fund to carry out the  
25 purposes of this Act.

26 1986-87

27 EXECUTIVE DEPARTMENT

28 State Planning Office  
29 All Other \$315,000  
30 These funds shall be  
31 distributed by the  
32 State Planning Office  
33 to regional councils in  
34 order to provide for:

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1 regional council sup-  
2 port of the implementa-  
3 tion of state-imposed  
4 laws or programs.  
5 Funds, in an amount to  
6 be determined by the  
7 office, shall be pro-  
8 vided to each regional  
9 council, provided that  
10 that council provides  
11 matching funds in cash  
12 in the amount of 25% of  
13 the office distribu-  
14 tion.'

15 STATEMENT OF FACT

16 To understand this amendment it is necessary to  
17 realize that the term "regional council" is a generic  
18 term which includes 2 specific versions: Regional  
19 planning commissions, which require 7 members and  
20 have somewhat less authority; and councils of govern-  
21 ment, which require 2 members.

22 This amendment drops from the original bill the  
23 provision that regional planning commissions be com-  
24 posed of 50% elected municipal officers to qualify  
25 for state funding. It was felt that in sparsely set-  
26 tled sections of the State it would be too difficult  
27 to get participation of these individuals. The  
28 amendment also changes the current statutory provi-  
29 sions which require that regardless of funding  
30 sources at least one representative for each municipi-  
31 pality be a municipal officer or the chief adminis-  
32 trative officer or his designee. The amendment re-  
33 quires that at least one representative be a municipi-  
34 pal officer or the elected designee of the municipal  
35 officers. This provision conforms with and reaffirms  
36 the current statutory provision that all representa-  
37 tives be appointed by the municipal officers.

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1           The amendment requires that regional planning  
2 commission membership be offered to all counties  
3 within the commission's district. Previously, such  
4 membership was allowed but not required. It is the  
5 intent that counties be offered such membership on  
6 the same basis as municipal members, except as re-  
7 gards the number of representatives. This provision  
8 does not apply to councils of government.

9           The amendment reduces the appropriated funds to  
10 \$315,000 a year and indicates that these funds are to  
11 be used to support regional council assistance to  
12 members in implementing state-imposed laws and pro-  
13 grams, such as shoreland zoning and solid waste man-  
14 agement. Contrary to the original statement of fact,  
15 it is the intent of this amendment that State Plan-  
16 ning Office rule-making authority over regional coun-  
17 cil funds be limited to those funds that are received  
18 from the State.

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Reported by the Majority of the Committee on Local and County Government  
Reproduced and distributed under the direction of the Clerk of the  
House  
3/5/86                   (Filing No. H-558)