

# MAINE STATE LEGISLATURE

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(Emergency)  
SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2078

S.P. 790 In Senate, January 15, 1988  
Approved for Introduction by a Majority of the Legislative  
Council pursuant to Joint Rule 26.  
Reference to the Committee on State and Local Government  
suggested and ordered printed.  
JOY J. O'BRIEN, Secretary of the Senate

Presented by President PRAY of Penobscot.  
Cosponsored by Senator ESTES of York, Representative  
CARROLL of Gray, Representative MCGOWAN of Canaan.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 AN ACT to Expand the Membership and Clarify the  
2 Role of the Commission on  
3 Intergovernmental Relations.  
4

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

8 Whereas, federal cuts have increased the  
9 responsibility of state, municipal and county

1 governments; and

2 Whereas, these government representatives need a  
3 forum for developing programs and plans of mutual  
4 benefit; and

5 Whereas, the Commission on Intergovernmental  
6 Relations has not met for the past 4 years; and

7 Whereas, the Commission on Intergovernmental  
8 Relations can provide the forum for discussion and  
9 development of long-range goals and plans for state,  
10 local and county government and enhance a spirit of  
11 cooperation; and

12 Whereas, in the judgment of the Legislature, these  
13 facts create an emergency within the meaning of the  
14 Constitution of Maine and require the following  
15 legislation as immediately necessary for the  
16 preservation of the public peace, health and safety;  
17 now, therefore,

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

20 **Sec. 1. 3 MRSA §271,** as amended by PL 1983, c.  
21 812, §7, is repealed and the following enacted in its  
22 place:

23 §271. Establishment of commission

24 The Commission on Intergovernmental Relations, as  
25 established by Title 5, chapter 379, shall be composed  
26 of 17 regular members. The Governor shall appoint 2  
27 representatives of county government and 2  
28 representatives of municipal government. The  
29 remaining members shall be appointed jointly by the  
30 President of the Senate and the Speaker of the House  
31 as follows: Five members of the Legislature; 3  
32 representatives of county government; 3  
33 representatives of municipal government; one  
34 representative of the Maine Municipal Association; one  
35 representative of the Maine County Commissioners  
36 Association. All 16 counties shall be represented  
37 among the commission's membership.

1           Sec. 2.       3 MRSA §272 is repealed and the  
2 following enacted in its place:

3       §272. Tenure of office

4           The legislative members shall hold office from the  
5 dates of their original appointments until final  
6 adjournment of the next succeeding regular session of  
7 the Legislature following their appointments. County  
8 and municipal officials shall hold office only as long  
9 as they hold municipal office. All other members  
10 shall serve for 2-year terms.

11           Sec. 3.       3 MRSA §273, as amended by PL 1985, c.  
12 737, Pt. B, §2, is further amended to read:

13       §273. Organization and procedure

14           The commission shall organize by the choice of one  
15 of its members to be its chairman. The Office of  
16 Fiscal and Program Review the Executive Director of  
17 the Legislative Council shall serve as the secretariat  
18 of the commission. The commission may enact such  
19 rules governing its procedure and the conduct of its  
20 affairs not inconsistent with law as it may see fit.

21           Sec. 4.       3 MRSA §274, sub-§§2, 3, 8 & 9 are  
22 amended to read:

23           2. Forum. To provide a forum for discussing the  
24 administration and coordination of federal and state  
25 grant programs;

26           3. Administration of programs. To give critical  
27 attention to the conditions and controls involved in  
28 the administration of federal and state grant  
29 programs;

30           8. Legislation. To recommend to the State  
31 Government and Federal Government changes in present  
32 federal laws and to recommend any new legislation the  
33 commission deems advisable; and

34           9. Cooperate with other agencies. To work with

1 national, state and local organizations including, but  
2 not limited to, the American Municipal Association,  
3 United States Conference of Mayors, the Maine  
4 Municipal Association, and other public and private  
5 organizations.

6 Sec. 5. 3 MRSA §275 is amended to read:

7 §275. Meetings; hearings; committees

8 The commission shall hold meetings quarterly, the  
9 first to be held on the 2nd Wednesday in January, and  
10 at such other times as it deems necessary. If there  
11 is a vacancy on the commission as of the 2nd Wednesday  
12 in January, a quorum shall consist of a majority of  
13 the members who have been appointed by that date. The  
14 commission shall hold hearings from time to time on  
15 matters that it deems to be in the public interest.  
16 The commission shall have power to establish such  
17 delegations and committees as it deems advisable,  
18 whose members may or may not be made up from the  
19 members of the commission, from state officials or  
20 from private citizens, such delegations or committees  
21 to be charged with the duty of conferring and  
22 formulating proposals concerning effective means to  
23 secure intergovernmental harmony and of performing  
24 such other functions for the commission as it may from  
25 time to time require.

26 Sec. 6. 3 MRSA §276, as amended by PL 1983, c.  
27 812, §8, is further amended to read:

28 §276. Reports; compensation

29 The commission shall report to the Governor and  
30 the Legislature at least 30 days before the convening  
31 of each regular legislative session, which report  
32 shall be transmitted by the Governor to the  
33 Legislature, and it may report to the Governor at  
34 such other times as it deems appropriate. The  
35 commission may solicit and accept such grants or funds  
36 as it may require to carry out its duties. Its  
37 members shall be compensated as provided in Title 5,  
38 chapter 379 serve without compensation but shall  
39 receive necessary travel and expenses.

