

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 431

S.P. 140

In Senate, February 9, 1993

An Act to Amend the Charter of the Northern Maine Regional Planning Commission.

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator KIEFFER of Aroostook.
Cosponsored by Speaker MARTIN of Eagle Lake and
Senator: LUDWIG of Aroostook, Representatives: AHEARNE of Madawaska, ANDERSON of
Woodland, CLUKEY of Houlton, DONNELLY of Presque Isle, JOY of Island Falls,
KNEELAND of Easton, ROBICHAUD of Caribou.

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

2
3 Sec. 1. P&SL 1989, c. 89, §4, sub-§4, ¶G, as amended by P&SL
4 1991, c. 31, is repealed and the following enacted in its place:

6 G. The officers of the commission include a chair, a
7 vice-chair, an officer that performs the duties of secretary
8 and clerk, and a treasurer.

10 Sec. 2. P&SL 1989, c. 89, §4, sub-§4, ¶¶H and I are enacted to
11 read:

12
13 H. The executive board has the authority, by majority vote,
14 after 30 days' notice in writing, to exclude any member
15 community or county from participation in the commission for
16 failure to meet any of the requirements contained in this
17 charter. Member communities and counties may appeal the
18 proposed action to the executive board or full commission
19 for reinstatement. There may be no refund or proration of
20 annual dues paid or due from the communities or counties
21 against which this action has been taken.

22
23 I. Any member community or county may withdraw from the
24 commission by presenting to the officer that performs the
25 duties of secretary and clerk or the executive director
26 written and attested evidence of a vote of withdrawal by the
27 governing body of the community or county. There may be no
28 refund or proration of annual dues paid or due from the
29 withdrawing community or county.

30
31 Sec. 3. P&SL 1989, c. 89, §4, sub-§5, ¶¶A and B, as amended by
32 P&SL 1991, c. 31, are further amended to read:

33
34 A. The commission's executive board of directors and
35 administrative staff shall prepare an annual budget and
36 shall recommend, on an equitable basis in relation to the
37 current state valuation of communities and the latest United
38 States Decennial Census count, the amount to be paid by each
39 community within its service area. The amounts shall must
40 be submitted to the commission, by the executive board, for
41 review and approval at the ~~November~~ May meeting of the
42 commission.

43
44 B. The commission's executive board of directors and
45 administrative staff shall recommend what they consider a
46 reasonable contribution to the commission from each county.
47 The amount shall must be submitted to the full commission by
48 the executive board for review and approval at the ~~November~~
May meeting of the commission.

2 **Sec. 4. P&SL 1989, c. 89, §4, sub-§5, ¶D**, as enacted by P&SL 1991,
c. 31, is amended to read:

4 D. The fiscal year of the commission begins ~~January~~ July
6 1st and ends ~~December-31st~~ June 30th.

8 **Sec. 5. P&SL 1989, c. 89, §4, sub-§6, ¶C**, as amended by P&SL 1991,
c. 31, is further amended to read:

10 C. After the election and installation of the executive
12 board, the commission shall elect by written ballot ~~its a~~
14 chair, a vice-chair, secretary an officer to perform the
16 duties of secretary and clerk and a treasurer from among the
members of the executive board. The chair and vice-chair
shall ~~must~~ be limited to serve not more than 2 consecutive
terms in office.

18 The person that performs the duties of secretary and clerk
20 is responsible for reviewing minutes prior to their printing
22 and shall perform such other duties as are customary to the
24 office including responsible direction of such secretarial
duties as are assigned by the charter and such duties as are
prescribed by law to the clerk.

26 **Sec. 6. P&SL 1989, c. 89, §4, sub-§8, ¶¶A and B**, as amended by
P&SL 1991, c. 31, are further amended to read:

28 A. The commission shall schedule at least 2 meetings
30 yearly. ~~These meetings~~ The annual meeting must be held in
32 the ~~months~~ month of May and ~~November~~ at a time and place, to
34 be determined by the executive board, which shall best serve
the convenience of the greatest number of representatives
and alternatives.

36 The executive board has the authority to set the date, time,
place and content of the 2nd commission meeting.

38 B. The ~~regular~~ annual meeting to be held in November ~~May~~
40 ~~shall-be~~ is known as the annual meeting and shall ~~must~~ be
42 divided in 2 parts as follows: Part 1 shall ~~be~~ is for the
44 purpose of receiving reports of the executive board,
committees, and staff and for unfinished business; part 2
shall ~~be~~ is for the purpose of electing executive board
46 members and officers and for new business.

48 **Sec. 7. P&SL 1989, c. 89, §4, sub-§9, ¶B, sub-¶(3), division (b)** is
amended to read:

2 (b) The executive board shall review and approve loans
under ~~-\$500,000~~ up to \$50,000.

4 Sec. 8. P&SL 1989, c. 89, §4, sub-§9, ¶B, sub-¶(6), as amended by
P&SL 1991, c. 31, is repealed.

6 Sec. 9. P&SL 1989, c. 89, §4, sub-§9, ¶B, sub-¶(7), as amended by
8 P&SL 1991, c. 31, is further amended to read:

10 (7) The salary schedule for ~~other-staff-shall~~ all personnel
12 must be approved as follows.

14 (a) The executive director shall review and recommend
the staff salary schedule.

16 (b) The executive board shall review and approve the
18 staff salary schedule.

20 Sec. 10. P&SL 1989, c. 89, §4, sub-§12, ¶¶G and H are enacted to
read:

22 G. This corporation shall abide by all rules and
24 regulations set forth in Section 687 of the Small Business
Investment Act of 1958, 15 United States Code, Section 661,
26 et. seq., as amended.

28 H. This corporation shall indemnify and hold harmless all
directors of the corporation and officers of the board of
30 directors from any and all claims against the directors or
officers individually by virtue of any act of commission or
32 omission while carrying out the duties and responsibilities
arising out of membership upon the board of directors or
34 election to an office.

36 STATEMENT OF FACT

38 This bill amends the charter of the Northern Maine Regional
Planning Commission, Inc.