

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

200

L.D. 299

DATE: 2-7-00

(Filing No. H-782)

2
4
6
8
10
12
14
16
18
20
22
24
26
28
30
32
34
36
38
40
42
44
46

STATE AND LOCAL GOVERNMENT

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 221, L.D. 299, Bill, "An Act to Create a Governance System for Unorganized Towns"

Amend the bill by striking out the title and substituting the following:

'Resolve, to Create the Committee to Study the Governance of the Unorganized Territories of Maine'

Further amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

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

Whereas, several residents of the unorganized territories of Maine have expressed their desire for self-governance; and

Whereas, the current system of providing services to the inhabitants of the unorganized territories is of significant economic concern to both the State and the inhabitants of the unorganized territories; and

Whereas, the extent to which the current system of providing services to the unorganized territories will change as the result of self-governance has not been assessed; and

COMMITTEE AMENDMENT

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. Committee established. Resolved: That the Committee to Study the Governance of the Unorganized Territories of Maine, referred to in this resolve as the "committee," is established; and be it further

Sec. 2. Membership. Resolved: That the committee consists of 15 members appointed as follows:

1. Two members of the Senate, at least one of whom serves on the Joint Standing Committee on State and Local Government, appointed by the President of the Senate;

2. Three members of the House of Representatives, at least 2 of whom serve on the Joint Standing Committee on State and Local Government, appointed by the Speaker of the House;

3. The Executive Director of the Maine Land Use Regulation Commission, or the executive director's designee;

4. Four residents of the unorganized territories, at least 3 of whom represent the 3 major regions, north, central and south, of the State, appointed by the Governor;

5. One member who is a county commissioner from a county that consists in part of unorganized territories, appointed by the Governor;

6. One representative of the Maine County Commissioners Association, appointed by the Governor;

7. One representative of the Maine Municipal Association, appointed by the Governor; and

8. Two representatives of the public who do not reside in unorganized territories, appointed by the Governor; and be it further

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

Sec. 4. Appointments. 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. When the appointment of all members is complete, the cochairs shall call and convene the first meeting of the committee no later than 15 days after the final member is appointed; and be it further

Sec. 5. Duties. Resolved: That the committee shall study and make recommendations concerning:

1. The feasibility of establishing an alternative system of governance in the unorganized territories, such as the system described in the report of the subcommittee of the Joint Standing Committee on State and Local Government on Legislative Document 299, dated December 6, 1999, which proposes to amend the Maine Revised Statutes, Title 30-A by establishing chapter 306, Governance of Unorganized Towns or Deorganized Municipalities;

2. The processes by which residents of the unorganized territories in which an alternative system of governance, such as the system described in the subcommittee report on Legislative Document 299, has been proposed will be informed of the changes that may result from establishing the new governance system;

3. The extent to which changes in the governance structure of the unorganized territories, such as that proposed in the subcommittee report on Legislative Document 299, may financially affect residents of the unorganized territories and of the State; and

4. The extent to which changes in the governance structure of the unorganized territories, such as that proposed in the subcommittee report on Legislative Document 299, may affect the provision of services to the inhabitants of the unorganized territories.

In carrying out its duties, the committee may seek the expertise of the Department of Education, the Department of Audit, the Bureau of Revenue Services within the Department of Administrative and Financial Services and the Department of the Secretary of State; and be it further

Sec. 6. Staff assistance. Resolved: That upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the committee; and be it further

Sec. 7. Compensation. Resolved: That legislative members are entitled to receive legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of

100

the committee. Public members, not otherwise compensated by their employers or other entities who they represent, are entitled to receive reimbursement for necessary expenses for their attendance at authorized meetings of the committee; and be it further

Sec. 8. Reporting date established. Resolved: That the committee shall submit a report with recommendations and any accompanying legislation to the joint standing committee of the Legislature having jurisdiction over state and local government matters during the First Regular Session of the 120th Legislature by December 15, 2000. Following the receipt of the report, the joint standing committee of the Legislature having jurisdiction of state and local government matters may report out a bill to the First Regular Session of the 120th Legislature. If the committee requires a limited extension of time to conclude its work, it may apply to the Legislative Council, who may grant the extension; and be it further

Sec. 9. Budget. Resolved: That the cochairs of the committee, with assistance from the committee staff, shall administer the committee budget. Within 10 days after its first meeting, the committee shall present its work plan and proposed budget to the Legislative Council for approval. The committee may not incur expenses that would result in the committee exceeding its approved budget. Upon request of the committee, the Executive Director of the Legislative Council shall promptly provide the committee cochairs and staff with a status report on the committee budget, expenditures incurred and paid and available funds; and be it further

Sec. 10. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

2000-01

LEGISLATURE

Committee to Study the Governance of the Unorganized Territories of Maine

Personal Services	\$1,925
All Other	5,400

Provides funds for the per diem and expenses of legislative members and expenses for other eligible members of the Committee to Study the Governance of the Unorganized Territories of Maine and to print the required report.

LEGISLATURE
TOTAL

\$7,325

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

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

2000-01

APPROPRIATIONS/ALLOCATIONS

General Fund \$7,325

This resolve includes a General Fund appropriation of \$7,325 in fiscal year 2000-01 for the Legislature for the per diem and expenses of legislative members and expenses for other eligible members of the Committee to Study the Governance of the Unorganized Territories of Maine and to print the required report.

The additional costs associated with providing staffing assistance to the committee during the interim between legislative sessions can be absorbed by the Legislature utilizing existing budgeted resources.

The Maine Land Use Regulation Commission will incur some minor additional costs to participate as a member of the committee. These costs can be absorbed within the commission's existing budgeted resources.

The additional costs associated with providing assistance to the committee can be absorbed by the Department of Audit, the Department of Education, the Bureau of Revenue Services and the Department of the Secretary of State utilizing existing budgeted resources.'

SUMMARY

This amendment establishes the 15-member Committee to Study the Governance of the Unorganized Territories of Maine. The amendment charges the committee to examine the feasibility of establishing an alternative system of governance for the unorganized territories, such as that proposed in the report of the subcommittee of the Joint Standing Committee on State and Local Government on Legislative Document 299. The amendment sets

COMMITTEE AMENDMENT "A" to H.P. 221, L.D. 299

a reporting deadline of December 15, 2000. It also adds a fiscal note and an appropriation section.

2

COMMITTEE AMENDMENT