

MAINE STATE LEGISLATURE

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L.D. 1626

DATE: 5-17-05

(Filing No. S-196)

STATE AND LOCAL GOVERNMENT

Reported by:

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STATE OF MAINE
SENATE
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT 'A' to S.P. 603, L.D. 1626, Bill, "An Act To Authorize the Deorganization of the Town of Cooper"

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

'Resolve, Regarding the Town of Cooper'

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

'Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

Sec. 1. Department of Transportation, Town of Cooper and surrounding communities to develop plan for road maintenance.

Resolved: That the Department of Transportation, the Town of Cooper and the surrounding communities are directed to develop a plan for winter maintenance for Route 191, including the section of Route 191 that is currently the responsibility of the Town of Cooper. The plan must include fiscal and planning support; and be it further

COMMITTEE AMENDMENT

2 **Sec. 2. State Planning Office and Town of Cooper to develop plan for**
3 **Municipal Officer position vacancies. Resolved:** That the Executive
4 Department, State Planning Office and the Town of Cooper are
5 directed to initiate cooperative efforts with adjacent towns to
6 share town services to address the vacancy issues in municipal
7 officer positions that are being experienced by the Town of
8 Cooper; and be it further

10 **Sec. 3. Report and recommendations. Resolved:** That the
11 Department of Transportation, the Executive Department, State
12 Planning Office and the Town of Cooper shall report their plans
13 and recommendations to the Joint Standing Committee on State and
14 Local Government no later than January 15, 2006; and be it further

16 **Sec. 4. Administrative support. Resolved:** That the Department
17 of Transportation and the Executive Department, State Planning
18 Office shall provide administrative support for the development
19 of plans, and any costs associated with this study must be
20 absorbed within existing budgeted resources; and be it further

22 **Sec. 5. Authority to report out legislation. Resolved:** That the
23 Joint Standing Committee on State and Local Government is
24 authorized to report out legislation that addresses the plans and
25 recommendations in section 3 to the Second Regular Session of the
26 122nd Legislature, including allowing the Town of Cooper to
27 continue its deorganization process.'

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SUMMARY

32 This amendment replaces the bill with a resolve. The
33 resolve directs the Department of Transportation, the Town of
34 Cooper and surrounding communities to develop a plan for the
35 winter maintenance of Route 191, including the section of Route
36 191 that the Town of Cooper is currently responsible for. The
37 plan must include fiscal and planning support. The resolve also
38 directs the Executive Department, State Planning Office and the
39 Town of Cooper to develop cooperative efforts with adjacent towns
40 to share town services to address municipal officer position
41 vacancy issues. The resolve requires the Department of
42 Transportation, the State Planning Office and the Town of Cooper
43 to report their recommendations to the Joint Standing Committee
44 on State and Local Government by January 15, 2006. The Joint
45 Standing Committee on State and Local Government is authorized to
46 report out legislation implementing these recommendations,
47 including allowing the Town of Cooper to continue its
48 deorganization process. The amendment includes a mandate
 preamble.

FISCAL NOTE REQUIRED
(See attached)



122nd MAINE LEGISLATURE

LD 1626

LR 2295(02)

An Act To Authorize the Deorganization of the Town of Cooper

Fiscal Note for Bill as Amended by Committee Amendment 'A'

Committee: State and Local Government

Fiscal Note Required: Yes

Fiscal Note

Exempted State Mandate

State Mandate

New or Expanded Activity

Requiring the town of Cooper to develop a plan for road maintenance and develop a plan for vacancies in municipal officers is a state mandate pursuant to the Maine constitution. Pursuant to the Mandate Preamble, the two-thirds vote of all members elected to each House exempts the State from the constitutional requirement to fund 90% of the additional local costs

Unit Affected

Municipality

Costs

Insignificant

Fiscal Detail and Notes

The additional costs to the Department of Transportation and the State Planning Office to develop plans and report to the State and Local Government Committee can be absorbed utilizing existing budgeted resources.