

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

AS PASSED BY THE

## Ninety-seventh Legislature

OF THE

# STATE OF MAINE

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

As Passed by the Ninety-seventh Legislature

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'Sec. 34-A. Surveys. The State Park Commission, its authorized agents and employees may enter upon any lands, waters and premises in the State for the purpose of making surveys and examinations as it may deem necessary or convenient in the discharge of its duties under the provisions of sections 33 to 39, inclusive, and such entry shall not be deemed a trespass.'

Effective August 20, 1955

## Chapter 41

AN ACT Relating to Temporary Public Utility Certificate for Buses.

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

R. S., c. 48, § 5, amended. Section 5 of chapter 48 of the revised statutes is hereby amended to read as follows:

'Sec. 5. Such motor vehicles not operated without certificate. No person, firm or corporation shall operate a motor vehicle or vehicles as described in section 1 on any street or highway in any city or town of this State, without obtaining from the Commission a certificate permitting such operation. Nor shall the Commission issue an original certificate or amend a certificate unless it finds after public hearing that public convenience and necessity require such operation, provided however, that the Commission may, in its discretion and for good and sufficient reason issue a temporary certificate authorizing such operation and hold the prescribed hearing at a later date and then determine whether a certificate shall be finally issued; but no temporary certificate shall be issued for a period longer than 30 days; no temporary certificate shall be extended or renewed, and no temporary certificate shall be issued unless the applicant has paid the fees and procured insurance as required by section 10.'

Effective August 20, 1955

## Chapter 42

AN ACT Permitting Regional Planning.

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

R. S., c. 91, §§ 99-A - 99-F, additional. Chapter 91 of the revised statutes is hereby amended by adding thereto 6 new sections to be numbered 99-A to 99-F, to read as follows:

### 'Regional Planning.

Sec. 99-A. Purposes. The purpose of sections 99-A to 99-F, inclusive, shall be to enable municipalities and counties to join in the formation of regional planning commissions whose duty it shall be to prepare a coordinated plan for the development of a region, taking into account present and future needs, with a view toward encouraging the most appropriate use of land, such as for agriculture, forestry, industry, commerce and housing; the facilitation of transporta-

tion and communications; the proper and economic location of public utilities and services; the development of adequate recreational areas, the promotion of good civic design; and the wise and efficient expenditure of public funds. The aforesaid plan shall be made in order to promote the health, safety, morals and general welfare of the region and its inhabitants.

Sec. 99-B. Formation of regional planning commissions. Two or more municipalities having planning boards may, by ordinance or resolution adopted by the respective legislative bodies of said municipalities, become members of a regional planning commission.

Each municipality which shall become a member of a regional planning commission shall be entitled to 2 representatives on said commission. A municipality with a population of over 20,000 but less than 100,000 shall be entitled to have 3 representatives on said commission, and a municipality with a population of over 100,000 shall be entitled to have 4 representatives on said commission. Population as set forth in this section shall be deemed to be determined by the last Federal census. Representatives to a regional planning commission shall be nominated by the planning board of each municipality from the residents thereof and shall be appointed by the municipal officers of each municipality.

In any county or counties in which a regional planning commission has been formed, the county may, by resolution of its county commissioners, become a member of said regional planning commission and shall be entitled to appoint 2 representatives on said commission.

The terms of office of members of a regional planning commission shall be for 4 years, but initial appointments shall be for 2 and 4 years. In municipalities entitled to 3 or more representatives, initial appointments shall be for 2, 3 and 4 years. Vacancies shall be filled for the remainder of the unexpired term in the same manner as original appointments.

Sec. 99-C. General powers and duties. A regional planning commission's powers shall be advisory, and shall generally pertain to the development of the region within its jurisdiction as a whole, or to problems which involve a combination of 2 or more municipalities or counties. Nothing in sections 99-A to 99-F, inclusive, shall be deemed to reduce or limit any of the powers, duties or obligations of planning boards in individual municipalities.

The area of jurisdiction of a regional planning commission shall include the areas of the respective municipalities forming such commission and may include all or part of any county which is a member of said regional planning commission.

It shall be the duty of a regional planning commission to prepare a comprehensive master plan for the development of the region within its jurisdiction, including the commission's recommendations, among other things, for the use of land within the region; for the general location, extent, type of use and character of highways, major streets, intersections, parking lots, railroads, aircraft landing areas, waterways and bridges, and other means of transportation, communication and other purposes; for the development, extent and general location of parks, playgrounds, shore front developments, parkways and other public reservations and recreation areas; for the location, type and character of public buildings, schools, community centers and other public property; and for the improvement, redevelopment, rehabilitation or conservation of residential, business, industrial and other areas.

A regional planning commission may authorize its employees or consultants to render assistance on local planning problems to any municipality or county which is a member of said regional planning commission. The cost of such assistance shall be paid entirely by the municipality or county to which the service is rendered or partly by said municipality or county and partly by any gift, grant or contribution which may be available for such work. Said commission shall keep a strict account of the cost of such assistance and shall provide such municipality or county with an itemized statement.

Sec. 99-D. Organization, officers and by-laws. A regional planning commission shall elect annually from among its members a chairman, vice-chairman and such other officers as it deems necessary. Meetings shall be held at the call of the chairman and at such other times as the commission may determine. A commission shall keep minutes of its proceedings and such minutes shall be filed in the office of the commission and shall be a public record. A commission may adopt such by-laws as it deems necessary to the conduct of its business.

Sec. 99-E. Finances. A regional planning commission shall determine on a reasonable and equitable basis the proportion of its costs to be borne respectively by each municipality or county which is a member of said commission. A commission may accept gifts, grants or contributions from any source, private or governmental, toward its work. Municipalities or counties are hereby authorized to appropriate funds to the use of a regional planning commission and to furnish to a regional planning commission legal or other services which it may deem reasonable. Failure upon the part of any municipality or county to pay its proportionate share of the cost as determined by a regional planning commission shall constitute a termination of such municipality's or county's membership on said commission. Municipalities or counties are hereby authorized to enter into contracts with a regional planning commission for the furnishing of funds or services in connection with the preparation of a comprehensive regional master plan and any special planning work to be done by a regional planning commission for any member municipality or county. Within the amounts appropriated to it or placed at its disposal by gift, grant or contribution, a regional planning commission may engage employees, contract with professional consultants, rent offices and obtain such other goods or services as are necessary to it in the carrying out of its proper functions.

Sec. 99-F. Relationship to local planning boards. A regional planning commission may assist the county or the planning board of any municipality which is a member of said commission to carry out any regional plan or plans developed by said commission.

A regional planning commission may make recommendations on the basis of its plans and studies to any planning board, to the legislative body of any city and to the selectmen of any town within its region, to the county commissioners of the county or counties in which said region is located, and to any State or Federal authorities.

Upon completion of a comprehensive master plan for the region or any portion of said comprehensive master plan, a regional planning commission may file certified copies of said comprehensive master plan or portion thereof with the planning board of any member municipality. Such planning board may adopt all or any part of such comprehensive master plan which pertains to the area within its jurisdiction as its own master plan, subject to the requirements of section 96.'