

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)

ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fourth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1969

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
ONE HUNDRED AND FOURTH LEGISLATURE
1969

§ 1935. Limitation

Upon rejection of a consolidation agreement by the voters of a municipality, such municipality may not be a party to any consolidation agreement for 3 years after the date of such rejection, except where 30% of the qualified voters have requested agreement by signing a section 1932, subsection 1, petition.

§ 1936. Certificate to Secretary of State

The results of any vote under this chapter shall be declared by the municipal officers of each town and due certificate of the result shall be filed with the Secretary of State.

Effective October 1, 1969

Chapter 382

AN ACT Relating to Regional Planning and Establishing Regional Councils of Governments.

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

Sec. 1. R. S., T. 5, § 3305, sub-§ 1, ¶ D, amended. The 2nd sentence of paragraph D of subsection 1 of section 3305 of Title 5 of the Revised Statutes, as enacted by section 1 of chapter 533 of the public laws of 1967, is amended to read as follows:

The State Planning Office may assist in forming regional planning commissions and councils of governments and may assist with financing the cost of operation of such regional planning commissions established under Title 30, sections 4501 to 4503, and of councils of governments empowered under Title 30, section 1983, subsection 3.

Sec. 2. R. S., T. 30, § 4501, amended. Section 4501 of Title 30 of the Revised Statutes is amended to read as follows:

§ 4501. Regional planning commission

A municipality which has a planning board may join a regional planning commission for the purpose of regional development and for coordination with state and federal planning and development programs:

1. Districts. The Governor may designate regional planning and development districts when he finds any of the following conditions:

A. There exists with the proposed district a clear need to plan and

develop its physical, economic and social resources ; or

B. There exists special or acute agricultural, forestry, conservation, transportation, park and recreational, water systems, sewerage systems, pollution abatement facilities problems, or other physical or social or economic problems of a regional character ; or

C. The proposed district meets other reasonable conditions consistent with the purposes of this chapter.

In establishing standards and determining boundaries the Governor through the State Planning Office shall afford all affected parties adequate notice and an opportunity to present relevant information, and give appropriate consideration to geographic, demographic, social and economic inter-dependent communities.

2. Revision. The Governor may, after consultation with the State Planning Office and the officers of the municipalities and counties involved, revise the designation of districts to reflect changing conditions or otherwise to fulfill the purposes of this chapter.

3. State agency assistance. The State Planning Office shall assist interested municipalities and counties in arranging for designation of planning and development districts and will coordinate the resources of other state agencies for such assistance.

4. Agreements. The Governor, with the consent of the United States Congress, may enter into agreements on behalf of the State with the governor or premier of an adjoining state or province of Canada to establish interstate or international regional planning or development districts.

Sec. 3. R. S., T. 30, § 4502, sub-§ 1, repealed and replaced. Subsection 1 of section 4502 of Title 30 of the Revised Statutes is repealed and the following enacted in place thereof :

1. Composition. The commission shall be composed of 2 or more member municipalities, counties, and where wildland or unorganized townships are involved in designated districts, the Forest Commissioner, the State Planning Director, the Commissioner of Economic Development, the Commissioner of Inland Fisheries and Game and the Director of State Parks and Recreation.

Sec. 4. R. S., T. 30, § 4503, sub-§ 1, ¶ A, amended. Paragraph A of subsection 1 of section 4503 of Title 30 of the Revised Statutes is amended to read as follows :

A. Where the population of the municipality according to the last Decennial Census of the United States is less than 20,000, it is entitled to 2 representatives, no more than one of whom shall be a resident currently holding elective office in the municipality ; 20,000 to 100,000, 3, no more than one of whom shall be a resident currently holding elective office in the municipality ; and more than 100,000, 4, no more than 2 of whom shall be residents currently holding elective office in the municipality.

Sec. 5. R. S., T. 30, c. 204, additional. Title 30 of the Revised Statutes is amended by adding a new chapter 204, to read as follows:

CHAPTER 204

COUNCILS OF GOVERNMENTS

§ 1981. Establishment

The municipal officers of any 2 or more municipalities, by appropriate action, may enter into an agreement, between or among such municipalities, for the establishment of a regional council of governments.

§ 1982. Contents of agreement

The agreement shall provide for representation, provided that at least half of the representatives of each member shall be municipal officers. The agreement shall specify the organization, the method of withdrawal, the method of terminating the agreement and the grounds for suspension of member municipalities.

§ 1983. Powers and duties

1. Powers. The council shall have the power to:

A. Study such area governmental problems common to 2 or more members of the council as it deems appropriate, including but not limited to matters affecting health, safety, welfare, education, economic conditions and regional development;

B. Promote cooperative arrangements and coordinate action among its members; and

C. Make recommendations for review and action to its members and other public agencies that perform functions within the region.

2. —other. The council may, by appropriate action of the governing bodies of the member municipalities, exercise such other powers as are exercised or capable of exercise separately or jointly, by the member governments and necessary or desirable for dealing with problems of local concern.

3. Standing committee. The council may, by appropriate action of the governing bodies of the member municipalities, establish a standing committee for the purpose of preparing and maintaining a comprehensive regional plan.

4. Transfer. Where a regional planning commission has been established under chapter 239, subchapter I, the member municipalities, by appropriate action, may provide for the transfer of all assets, liabilities, rights and obligations of the commission to the council and for the dissolution of the commission.

§ 1984. Bylaws

The council shall adopt bylaws designating the officers of the council and providing for the conduct of its business.

§ 1985. Staff

The council may employ such staff, and consult and retain such experts, as it deems necessary.

§ 1986. Finances; annual report

1. Expenses. The governing bodies of the member governments may appropriate funds to meet the expenses of the council. Services of personnel, use of equipment and office space, and other necessary services may be accepted from members as part of their financial support.

2. Governmental funds. The council may accept funds, grants, gifts and services from the government of the United States or its agencies, from this State or its departments, agencies or instrumentalities or from any other governmental unit whether participating in the council or not, and from private and civic sources.

3. Report. It shall make an annual report of its activities to the member governments.

Effective October 1, 1969

Chapter 383

AN ACT to Amend the Credit Union Law.

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

R. S., T. 9, § 2765, sub-§ 3, ¶ D, additional. Subsection 3 of section 2765 of Title 9 of the Revised Statutes is amended by adding a new paragraph D, as follows:

D. Any interest in real property which may now be mortgaged to a credit union under paragraphs A to C may be mortgaged to secure existing debts or obligations, to secure debts or obligations created simultaneously with the execution of the mortgage, to secure future advances necessary to protect the security and to secure future advances to be made at the option of the parties up to a total amount stated in the mortgage, and all such debts, obligations and future advances shall, from and as of the time the mortgage is filed for record as provided by law, be secured by such mortgage and have priority over the rights of all persons who subsequent to the recording of such mortgage acquire any rights in or liens upon the mortgaged real estate to the extent the aggregate amount outstanding at any one time of such debts, obligations and future advances shall not exceed the