

## §298. Capitol Planning Commission

The Capitol Planning Commission, established by section 12004-I, subsection 75, shall administer this chapter and perform such other duties as may be prescribed by law. [PL 1989, c. 503, Pt. B, §12 (AMD).]

The commission consists of 9 members as follows: [PL 1999, c. 127, Pt. A, §3 (AMD).]

**1. Commissioner of Agriculture, Conservation and Forestry.** The Commissioner of Agriculture, Conservation and Forestry, or the commissioner's designee; [PL 2011, c. 655, Pt. JJ, §1 (RPR); PL 2011, c. 655, Pt. JJ, §41 (AFF); PL 2011, c. 657, Pt. W, §6 (REV).]

**2. Councilor.** A member of the Augusta City Council to be appointed by the Mayor of Augusta, with the advice and consent of the Augusta City Council, for a term of one year; [RR 2023, c. 2, Pt. B, §40 (COR).]

**3. Residents.** One resident of the Capitol Planning District and 2 residents of the City of Augusta, who may not be residents of the Capitol Planning District, to be appointed by the Governor for terms of 5 years; and [PL 2005, c. 123, §1 (AMD).]

**4. Members-at-large.** Four citizens of the State, who may not be residents of Augusta, to be appointed by the Governor for terms of 5 years; except that the first appointed member must be appointed for a term of one year. [PL 2005, c. 123, §2 (AMD).]

Each appointed member serves for the term of the member's appointment and thereafter until the member's successor is appointed and qualified. A vacancy must be filled for the unexpired term in the same manner in which the original appointment is made. The members of the commission must be compensated as provided in chapter 379. [RR 2023, c. 2, Pt. B, §41 (COR).]

The members of the commission shall elect a chair, who shall preside at all meetings of the commission when present. The commission shall meet at least once every 4 months and in addition may meet as often as necessary, at such times and places as the chair may designate. Any 3 members constitute a quorum for the exercise of all powers of the commission. The commission may employ, subject to the Civil Service Law, such assistance as may be necessary to properly carry out the duties of the commission. [RR 2023, c. 2, Pt. B, §42 (COR).]

The Director of Public Improvements serves as the secretariat of the commission in exercising its administration. The commission may, in accordance with the Maine Administrative Procedure Act, chapter 375, adopt and enforce rules as it determines necessary, except rules relating to the State Capitol Building under the jurisdiction of the State House and Capitol Park Commission, as it determines necessary for the purposes of carrying out this chapter. These rules have the force of law. [PL 1993, c. 361, Pt. A, §1 (AMD).]

Among these rules and regulations, the commission shall adopt and promulgate regulations governing the height, setback, location of driveways, exterior design and materials, landscaping, location of parking and parking ratio of parking area to building area of all buildings erected or reconstructed within the Capitol Area of the City of Augusta, provided that the regulations shall not apply to the erection, reconstruction or repair of buildings which are used for residential purposes and do not exceed 8 dwelling units. [PL 1979, c. 598, §1 (RPR).]

### SECTION HISTORY

PL 1967, c. 458, §1 (NEW). PL 1971, c. 615, §5 (RPR). PL 1973, c. 622, §1 (RPR). PL 1975, c. 470, §2 (AMD). PL 1977, c. 78, §11 (AMD). PL 1977, c. 513, §§1,2 (AMD). PL 1979, c. 108, §§1,2 (AMD). PL 1979, c. 598, §1 (AMD). PL 1983, c. 812, §§15,16 (AMD). PL 1985, c. 785,

§B20 (AMD). PL 1987, c. 816, §EE3 (AMD). PL 1989, c. 503, §B12 (AMD). PL 1993, c. 361, §A1 (AMD). PL 1999, c. 127, §A3 (AMD). PL 2005, c. 123, §§1,2 (AMD). PL 2011, c. 655, Pt. JJ, §1 (AMD). PL 2011, c. 655, Pt. JJ, §41 (AFF). PL 2011, c. 657, Pt. W, §6 (REV). RR 2023, c. 2, Pt. B, §§40-42 (COR).

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