

MAINE STATE LEGISLATURE

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L.D. 506

(Filing No. H-231)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
113TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 384, L.D. 506,
Bill, "AN ACT to Clarify the Home Rule Authority of
Municipalities."

Amend the bill by striking out all of the emer-
gency preamble.

Further amend the bill in section 18, in subsec-
tion 4, by striking out all of paragraph A and in-
serting in its place the following:

'A. Any change in the provisions of this section
relating to municipal officers or a school com-
mittee must be accomplished by charter; and'

Further amend the bill by striking out all of
section 23 and inserting in its place the following:

'Sec. 23. 30 MRSA §2361, sub-§2, as amended by
PL 1987, c. 106, §1, is further amended to read:

2. Powers. Police officers shall be empowered to
serve criminal and traffic infraction processes and
to arrest and prosecute offenders of the law. Except
for the purpose of retaking a prisoner whom he has
arrested and who has escaped, or for the purpose of
taking a person before the District Court, or for the
purpose of executing a mittimus given to him by such
court, or for the purpose of pursuing a person who
has gone into another municipality and for whose ar-
rest a police officer has a warrant, or as provided
for in section 2366, no police officer may have any
authority in criminal or traffic infraction matters
beyond the limits of the municipality in which he is
appointed. A police officer has all the statutory
powers of a constable, except as limited by municipal
ordinance or charter.'

COMMITTEE AMENDMENT "A" to H.P. 384, L.D. 506

1 Further amend the bill by inserting before the
2 emergency clause the following:

3 'Sec. 62. Effective date. This Act shall take
4 effect on February 1, 1988.'

5 Further amend the bill by striking out all of the
6 emergency clause.

7 STATEMENT OF FACT

8 This amendment removes the emergency preamble and
9 emergency clause from the bill and gives it a delayed
10 effective date of February 1, 1988. This will pro-
11 vide enough time for the Legislature to update the
12 pending recodification of the Maine Revised Statutes,
13 Title 30, in response to any changes in the law that
14 are made in this session. The amendment also clari-
15 fies that a municipality may alter the statutory pro-
16 visions related to the existence and filling of va-
17 cancies in a school committee only by charter.

18 This amendment also corrects a potential conflict
19 by using the recently enacted version of Title 30,
20 section 2361.

21 3096060187

Reported by the Committee on State and Local Government
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House
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