

# MAINE STATE LEGISLATURE

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L.D. 506

2

(Filing No. H-441 )

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STATE OF MAINE

4

HOUSE OF REPRESENTATIVES

5

113TH LEGISLATURE

6

SECOND REGULAR SESSION

7

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

8

Bill, "AN ACT to Clarify the Home Rule Authority of

9

Municipalities. "

10

Amend the bill in section 14, in that part

11

designated "§2151-B." in subsection 4, paragraph B, in

12

the first line (page 7, line 24 in L.D.) by striking

13

out the underlined word "any" and inserting in its

14

place the underlined word 'one'

15

Further amend the bill in section 14, in that part

16

designated "§2151-B." in subsection 4, paragraph D, in

17

the 6th line (page 8, line 9 in L.D.) by striking out

18

the underlined words "not to exceed" and inserting in

19

their place the underlined word 'of'

20

Further amend the bill in section 14, in that part

21

designated "§2151-B." by striking out all of

22

subsection 5 and inserting in its place the following:

23

'5. Buildings, structures, mobile homes, travel

24

trailers and equipment. The following provisions

25

apply to any ordinance enacted by a municipality

26

concerning buildings, structures, mobile homes, travel

27

trailers intended to be used for human habitation or

28

equipment.

29

A. Any building, structure, mobile home or travel

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

1 trailer intended to be used for human habitation  
2 and travel trailer parking facility or equipment  
3 existing in violation of such an ordinance is a  
4 nuisance.'

5 Further amend the bill in section 16, in that part  
6 designated "§2152-C." in subsection 1, by striking out  
7 all of paragraph A and inserting in its place the  
8 following:

9 'A. The municipal officers may establish a method  
10 by which persons charged with the violation of  
11 ordinances governing pedestrian traffic on the  
12 public ways may waive all court action by payment  
13 of specified fees within stated periods of time.'

14 Further amend the bill in section 18, subsection  
15 4, paragraph A, in the 2nd line (page 13, line 24 in  
16 L.D.) by inserting after the underlined word  
17 "officers" the following: 'or a school committee'

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

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

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

38 Further amend the bill in section 30, in that part

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

1 designated "§2481." by striking out all of subsection  
2 3 and inserting in its place the following:

3 '3. Sanitation and parking facilities for mobile  
4 homes and travel trailers. The sanitation and parking  
5 facilities for mobile homes, travel trailers intended  
6 to be used for human habitation and travel trailer  
7 parking facilities;'

8 Further amend the bill in section 30, in that part  
9 designated "§2482." in the first paragraph, in the  
10 first line (page 18, line 9 in L.D.) by inserting  
11 after the following: "structure," the underlined word  
12 'travel'

13 Further amend the bill in section 61, 3rd  
14 paragraph, in the first line (page 31, line 6 in L.D.)  
15 by inserting after the word "taken" the following:  
16 'before the effective date of this Act which were'

17 STATEMENT OF FACT

18 This amendment makes several minor technical  
19 corrections in the language of the bill and clarifies  
20 that a municipality may alter the statutory provisions  
21 related to the existence and filling of vacancies in a  
22 school committee only by charter.

23

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Reported by the Committee on State and Local Government  
Reproduced and distributed under the direction of the Clerk of the  
House  
2/8/88 (Filing No. H-441)