

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
LOCAL AND COUNTY GOVERNMENT
BILL SUMMARY



JULY, 1985

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ONE HUNDRED AND TWELFTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
JULY 1985

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the First Regular Session of the 112th Legislature. The summaries are arranged by LD number and indexed separately by committee.

LD:	353	AN ACT TO AUTHORIZE A SELF-LIQUIDATING BOND ISSUE FOR WALDO COUNTY TO CONSTRUCT BUILDING TO HOUSE COUNTY EXTENSION SERVICES	DRINKWATER STEVENSON ALLEN TARDY P AND S CH # 15
OTP-AM		HOUSE Emerg. Enacted SENATE Emerg. Enacted GOV EMER SIGNED	
H-79	CA	H S	

SUMMARY:

This bill is for an \$80,000 bond issue to construct a building to house the county extension service. This bond is to be retired in no more than 20 years. The referendum makes no mention of the retirement period.

Committee Amendment A accomplishes the following:

1. Eliminates the confusion as to whether the bill requires a referendum.
2. Adds a provision as to action to be taken if the bonds are not issued or the funds not expended within specified time periods;
3. Changes the referendum question to indicate the amount of interest to be incurred, to indicate the current bond debt status of the county and to change the retirement period to 15 years to match the support data from the county; and
4. Makes a number of minor wording changes.

LD:	375	AN ACT TO CLARIFY MUNICIPAL AUTHORITY OVER AUTOMOBILE GRAVEYARDS AND JUNKYARDS	MAYBURY RUHLIN PUBLIC CH # 305
OTP-AM		HOUSE Enacted SENATE Enacted GOV SIGNED	
S-149	CA	H S	

SUMMARY:

The original bill attempted to allow municipalities to apply "reasonable standards" to automobile graveyard or junkyard operating permits. The Maine Supreme Court has interpreted the present Title 30, section 2454 to restrict municipalities to applying solely the criteria listed in that section when they decide whether or not to grant or deny a permit request for a junkyard. LD 375 would have allowed a municipality to consider other factors in deciding whether or not to grant a permit request, including any "reasonable standards" adopted by the municipality, such as the effect on ground and surface water, compliance with state and federal hazardous waste regulations, fire safety, traffic safety, off-site noise levels, compliance with local ordinances and regulations, and the proximity to existing

residential or institutional uses. Under the bill, a town may deny the permit if an applicant fails to meet any of the requirements that the town chooses to apply. If the town approves the application, the municipal officers could attach conditions to the permit relating to only the hours of operation, pollution control, erosion and sedimentation, waste disposal, sewage disposal, traffic safety, fire safety, and screening from a highway and adjacent property. Committee amendment S-149 added the requirement that the additional local permit requirements be imposed through local ordinances, and specified that local groundwater regulations could not be less stringent or inconsistent with rules adopted by the Department of Environmental Protection. Additionally, conditions of operation imposed by the municipality are no longer limited to those expressly listed in the original bill, but under the amendment must be related to compliance with the local ordinances enacted as previously described under section 2454.

LD: 376 AN ACT TO ALLOW HOUSING AUTHORITY BOARDS TO APPOINT ALTERNATE COMMISSIONERS MAYBURY RUHLIN

ONTP HOUSE Accepted Committee Report
SENATE Accepted Committee Report
GOV

SUMMARY:

This bill would allow an alternate commissioner to be selected for Housing Authority Boards. This bill would authorize the appointment of one alternate who could act in the place of any regular commissioner who was absent.

LD: 389 AN ACT TO ESTABLISH A KENNEBEC COUNTY BUDGET COMMITTEE DAVIS DAGGETT

OTP-AM HOUSE Enacted PUBLIC
SENATE Enacted CH # 367
GOV SIGNED

H-155 CA H S
H-257 CA DAGGETT
H-293 CA DAGGETT H S

SUMMARY:

This bill would remove the approval authority over county budgets from the legislative delegation and give it to a committee composed of elected officials from the municipalities in the county. The rationale generally offered for the action taken by this bill is that it is consistent with the fact that county revenues are to a significant degree obtained from the local property tax.