

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON  
STATE AND LOCAL GOVERNMENT  
Part II County and Local

BILL SUMMARY



JUNE 1987

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ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
JUNE 1987

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "COMMITTEE" if it is a committee amendment.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

Key to Committee Reports and Floor Action:

|           |                                       |
|-----------|---------------------------------------|
| OTP       | Ought to Pass                         |
| OTP-ND    | Ought to Pass in New Draft            |
| OTP-ND-NT | Ought to Pass in New Draft, New Title |
| OTP-A     | Ought to Pass as Amended              |
| ONTP      | Ought Not to Pass                     |
| LVWD      | Leave to Withdraw                     |
| INDEF PP  | Indefinitely Postponed                |

LD RESOLVE, FOR LAYING OF THE COUNTY TAXES AND RESOLVE 1987  
1733 AUTHORIZING EXPENDITURES OF ANDROSCOGGIN COUNTY c. 30  
FOR THE YEAR 1987 (REPORTED PURSUANT TO A JOINT  
ORDER; HP23)

Sponsor:  
Committee Report: OTP

SUMMARY: This Resolve is the annual county tax and authorization bill for Androscoggin County.

LD RESOLVE, FOR LAYING OF THE COUNTY TAXES AND RESOLVE 1987  
1734 AUTHORIZING EXPENDITURES OF KENNEBEC COUNTY FOR c. 31  
THE YEAR 1987 (REPORTED PURSUANT TO A JOINT  
ORDER; HP23)

Sponsor:  
Committee Report: OTP

SUMMARY: This Resolve is the annual county tax and authorization bill for Kennebec County.

LD AN ACT DEALING WITH THE AUTHORITY OF HARBOR PL 1987  
1794 MASTERS (REPORTED PURSUANT TO PUBLIC LAW, c. 412  
CHAPT. 692 OF 1985)

Sponsor:  
Committee Report: New Draft of LD 327  
Amendments Adopted:  
H-288 ANTHONY  
H-334 CARROLL

SUMMARY: It has been general practice for local municipalities to have control of mooring assignments. A Superior Court decision last summer cast doubt on the legality of this practice. As a result, the Legislature in 1986 passed a bill which temporarily reaffirmed and clarified the rights of a municipality to control its moorings. That bill an April 1, 1987 sunset and required the Department of Conservation to study the subject. L.D. 327 was the Department's response.

The new draft reaffirms the provisions of the 1986 law in giving control of moorings to municipalities. However, it adds a requirement that municipalities make assignments regardless of place of residence in order to conform to State and Federal Law and the U.S. Army Corps of Engineers interpretation.

House Amendment H-288 clarifies that a harbor master need only write to the owner of an offending buoy if he knows who the owner is.

House Amendment H-334. Eliminates the provision that allows the harbor master to dispose of a buoy that he has removed. It adds a provision that harbor masters will continue to receive the limitations on liability of the Maine Tort Claims Act, as well as the limitations contained in the original bill.

LD 1795 RESOLVE, REQUIRING THE DEPARTMENT OF CONSERVATION TO STUDY THE PROBLEM OF SUBMERGED WATERCRAFT IN COASTAL WATERS OF THE STATE RESOLVE 1987 c. 42 EMERGENCY

Sponsor: COLES, Vose, Carrol  
Committee Report: New Draft of LD 1338  
Amendments Adopted:  
H-292 CARROLL

SUMMARY: The original bill required the Department of Marine Resources to remove certain sunken vessels from coastal waters. This would involve a considerable but uncertain expense, and the appropriate governmental body to be responsible for this work is also unclear.

This new draft requires that the Department of Conservation, thru the Board of Public Lands, study this subject and report to the Joint Standing Committee on State and Local Government by February 1, 1988.

The House Amendment eliminates the specific objectives of the study, as filling all those objectives would have required additional staffing by the Department of Conservation.

LD 1797 AN ACT TO PROVIDE FOR A COMPREHENSIVE STUDY OF THE FEASIBILITY OF PROVIDING DETENTION FACILITY SERVICES FOR AROOSTOOK COUNTY BY PRIVATE CONTRACT P&S 1987 c. 46

Sponsor: COLLINS, Ludwig, Theriault  
Committee Report: New Draft of LD 1156  
Amendments Adopted:  
H-321 CARROLL  
S-198 THERIAULT

SUMMARY: The original would allow county commissioners to contract with a private firm to run the county jail. In spite of its title this bill refers to all counties, not just Aroostook.

Under the provisions of 30 MRSA section 304 the commissioners of Aroostook County last winter contracted with a private firm to run the county jail. An Attorney General's opinion stated that contracting for running the jail would represent an illegal delegation of the sheriff's statutory responsibility