

# 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

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 RESOLVE, REQUIRING THE DEPARTMENT OF RESOLVE 1987  
1795 CONSERVATION TO STUDY THE PROBLEM OF SUBMERGED c. 42  
WATERCRAFT IN COASTAL WATERS OF THE STATE 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 AN ACT TO PROVIDE FOR A COMPREHENSIVE STUDY OF P&S 1987  
1797 THE FEASIBILITY OF PROVIDING DETENTION FACILITY c. 46  
SERVICES FOR AROOSTOOK COUNTY BY PRIVATE  
CONTRACT

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

As a result of the Attorney General's decision the county nullified the contract and the legislative delegation submitted this bill.

The new draft limits the provisions of the bill to Aroostook County. It requires the approval of the sheriff before the commissioners may contract for a private concern to the run the jail. It requires the contractor to comply with rules established by the Commissioner of Corrections.

House Amendment H-321 establishes the Aroostook County Detention Facility Study Committee to study the feasibility and practicality of providing detention facility services for Aroostook County by private contract.

Senate Amendment S-198 indicates that the County is to pay for the cost of this study.

LD            AN ACT TO REVISE    THE SALARIES OF CERTAIN                    PL 1987  
1802        COUNTY OFFICERS (REPORTED PURSUANT TO A JOINT                c. 391  
             ORDER:    HP23)

Sponsor:  
Committee Report:    NOT REFD TO COMTE

SUMMARY: The various sections dealing with the authority and responsibility of individual county officers require that their salaries be paid as reflected in the Maine Revised Statutes, Title 30, section 2. This bill changes the figures currently in this section to bring them into line with the 1987 county budgets as approved by the Legislature.

The bill reaffirms that counties which are no longer required to have their budgets approved by the Legislature do not need to have statutory approval of the salaries of their officers. Currently, Cumberland County and Waldo County do not require legislative approval of their budget.

Counties which have county administrators may not pay a salary to their commissioners. Currently, Aroostook County and York County have county administrators.