

STATE OF MAINE 113TH LEGISLATURE SECOND REGULAR SESSION



BILL SUMMARY JOINT STANDING COMMITTEE ON STATE & LOCAL GOVERNMENT PART II LOCAL GOVERNMENT

MAY 1988

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ONE HUNDRED AND THIRTEENTH LEGISLATURE FIRST & SECOND SPECIAL SESSIONS SECOND REGULAR SESSION

JOINT STANDING COMMITTEE BILL SUMMARIES MAY 1988

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 for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are indicated as follows::

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

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Secretaries: Charlene Brann, Janet Jean, Earl Knox, Valarie Parlin; Research Assistant Hartley Palleschi. Finally, Secretary Laurette Knox, Legal Assistant Carolyn Chick, and Research Assistant Robert Dunn had special responsibilities in the preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

LDAn Act to Amend the Law Allowing the Town of York to RepairP & S2195Certain Private Roads102

EMERGENCY

ONTP

AMENDMENTS ADOPTED

SPONSOR (S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ROLDE	OTP-AM	H-512
MCPHERSON	•	

SUMMARY

It is the intent of this bill to include one particular road within the provisions of a current private and special law which allows York to repair private roads within subdivisions at the request and expense of the abuttors.

Committee Amendment A (H-512) makes the bill an emergency measure in order that authorization for repair of the road in question may be given at the annual meeting in April.

LD An Act to Limit Elected County Officials to Commissioners, ONTP 2224 Sheriffs and Probate Officers

SPONSOR (S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
FOSS	ONTP	
WEBSTER M		
BROWN		
REED	0	

SUMMARY

This bill would make the positions of county treasurer and register of deeds appointive rather than elective positions.

The election of sheriffs and judges of probate and registrars of probate are mandated by the constitution, the requirement that the probate officer be elective was repealed in 1967 but only contingent on the establishment of a different probate system with full time judges. Such a system has never been established.

County commissioners are currently empowered to call a voter referendum on the subject of making the county treasurer an appointed position. Two counties have held referenda on this issue and turned it down.

LD	An A	ct t	o Revise	the	Charter	Commission	Law	(
<mark>2235</mark>								

SPONSOR (S)	COMMITTEE	REPORT
RACINE	ONTP	MAJ
WENTWORTH	OTP-AM	MIN
CARROLL		

SUMMARY

Currently municipal charter commissions consist of 3 persons appointed by the municipal officers, only 1 of whom may be a municipal officer, and 6 members

Office of Policy and Legal Analysispage 8 State and Local Government Part II - Local Government elected in the same manner as municipal officers. This bill prohibits the elected members from holding any other municipal office. It also prohibits the commission officers from being municipal employees.

The Minority Report, Committee Amendment A (H-582) allows 2 appointive members to be municipal officers instead of only one, and removes the exclusion of municipal employees from being officers of the charter commission.

LD An Act to Amend the Requirement that Counties Contribute INDEF PP 2306 to the Support of the Superior Courts and the Supreme Judicial Court

SPONSOR (S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LOOK	OTP-AM	H-647
RANDALL		S-459 TUTTLE
TAMMARO		
SHELTRA	•	

SUMMARY

There are currently two laws which relate to county support of Supreme and Superior Courts. 4 MRSA section 115 requires that counties provide to the Supreme and Superior Courts at no charge such quarters, facilities, furnishings and equipment in existing buildings as were used by these courts in 1976. 4 MRSA section 118 requires that counties contribute to the financial support of these courts in an amount equal to their contribution to these courts in 1975.

This bill proposes that the counties no longer be required to provide equipment, only facilities and furnishings, and that the financial contribution be reduced to 10% of the 1975 contribution. This bill contains a \$687,000 fiscal note.

Committee Amendment A (H-647) provides for a January 1, 1989, effective date in order to coincide with the counties' fiscal year and adds an appropriation section to cover the 1/2 year involved.

Senate Amendment A (S-459) eliminates an unnecessary appropriation section and adds a needed fiscal note.

LD An Act to Amend the Charter of the Eastport Port Authority LV/WD 2313

SPONSOR (S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
VOSE	LV/WD	

SUMMARY

Currently the Eastport Port Authority is under the supervision of 7 directors consisting of the City Manager, the President of the City Council, a member of

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