

MAINE STATE LEGISLATURE

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**STATE OF MAINE
114TH LEGISLATURE
FIRST REGULAR SESSION**



**BILL SUMMARY
JOINT STANDING COMMITTEE
ON
STATE AND LOCAL GOVERNMENT
PART II - LOCAL GOVERNMENT**

JULY 1989

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ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1989

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 for 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 abbreviated 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 Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

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

SPONSOR(S)
MCCORMICK
BRAWN
SKOGLUND
HUTCHINS

COMMITTEE REPORT
LV/WD

AMENDMENTS ADOPTED

SUMMARY

LD 294 proposed to create an advisory budget committee for Knox County to be elected by municipal officers in the county.

LD 303 An Act to Establish a Process for the Deorganization of Municipalities and Plantations

**PUBLIC 216
EMERGENCY**

SPONSOR(S)
WENTWORTH
CARROLL D
GOULD R R
SMITH

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-167
H-238 HEESCHEN

SUMMARY

LD 303 proposed to establish a uniform process of municipal deorganization. A municipality would have to hold a meeting upon the petition of at least 10% of the town voters to consider whether the town wanted to pursue the process of deorganization. If the voters approved further action, the municipal officers would appoint a 3 to 5 member deorganization committee to develop a deorganization plan. The contents of this plan were prescribed in the LD to ensure that adequate information on the effects of deorganization was presented to the voters. The LD also established the 5-member Commission on Municipal Deorganization, composed of relevant state officials and a county commissioner from the affected county to assist local deorganization committees. After the deorganization plan was developed, a public hearing would be conducted at which the voters would approve or disapprove the plan as presented or amend it. If the deorganization plan was approved, it would require approval by the Legislature, which would be conditioned upon a final vote by the town approving deorganization. Deorganization would be effective only if the town voted to deorganize after Legislative approval.

Committee Amendment "A" (H-167) made the following changes:

1. Standardized the notice requirements for all meetings required to be held under the LD;
2. Provided for a 5-member local deorganization committee to be elected by the voters;
3. Replaced the term "deorganization plan" with "deorganization procedure;"
4. Required the Commission on Municipal Deorganization to develop a deorganization procedure if the local committee failed to do so;
5. Required the county commissioner member of the Commission to represent the commissioner district in which the town proposing to deorganize was located; and
6. Required a separate public hearing to be held on the proposed deorganization procedure before it is presented to the town voters.

House Amendment "A" to Committee Amendment "A" (H-238) made a technical drafting correction and eliminated the provision of the original bill that permitted zoning decisions to be made for a deorganized town before LURC had actually adopted a zoning map for the area.

**LD 311 An Act to Adjust the Metes and Bounds Between the Towns of P & S 12
Osborn, Mariaville and Waltham in Hancock County**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
PARADIS E PERKINS	OTP	

SUMMARY

LD 311 defined the boundary between the Towns of Osborn, Mariaville and Waltham.

LD 315 An Act to Deorganize the Town of New Portland LV/WD

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
DEXTER	LV/WD	

SUMMARY

LD 315 proposed to deorganize the Town of New Portland contingent upon ratification by the voters in the town in a local referendum.

**LD 366 An Act to Allow Municipalities to Withhold Business Licenses P & S 30
under Some Circumstances EMERGENCY**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
MCSWEENEY NORTON CONLEY	OTP-AM	H-203 S-138 HOBBS

SUMMARY

LD 366 proposed to permit the Towns of Old Orchard Beach, Wells, Boothbay Harbor and Bar Harbor to withhold certain business licenses from applicants who were delinquent in paying personal property taxes.

Committee Amendment "A" (H-203) restricted this authority by preventing a town from withholding a license if the applicant was appealing the amount claimed by the town to be delinquent.

Senate Amendment "A" (S-138) made the bill an emergency to take effect when approved.

LD 368 An Act to Improve Enforcement of Junkyard Laws LV/WD

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
TARDY STROUT D HUSSEY	LV/WD	

SUMMARY

LD 368 proposed to allow municipalities to suspend a permit to operate a junkyard for up to 30 days for any violation of state law or a condition of the permit.