

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)
CARROLL D
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COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-84

SUMMARY

LD 383 proposed to authorize municipalities to perform limited maintenance on privately-owned roads located within the municipality. Its application was limited to private roads on which at least 2 private residences were located. A vote by the municipality's legislative body was required to authorize maintenance. Municipalities were further authorized to raise and expend money for this maintenance, either through general revenue or special assessment, and were immunized from any liability connected with the maintenance.

Committee Amendment "A" (H-84) restricted the LD's application to private roads with 2 or more "year-round" private residences; required that the private roads not be marked or obstructed to hinder public access; required the municipality to have enacted an ordinance regulating the construction of new roads in the municipality and made a municipality liable for damages caused by the maintenance as provided under the Maine Tort Claims Act.

The LD was postponed after the Legislature sought and obtained an Opinion of the Justices that found the proposed law to be unconstitutional.

SPONSOR(S)
TAMMARO
RANDALL
MOHOLLAND
TOWNSEND

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-62

SUMMARY

LD 390 proposed to convert Baring Plantation into the Town of Baring, contingent upon ratification by the plantation voters in a local referendum.

Committee Amendment "A" (H-62) made technical drafting corrections to the bill.

SPONSOR(S)
SHELTRA
LORD
NADEAU G R
MURPHY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-204

SUMMARY

LD 399 proposed to require 5 commissioners for York County beginning in 1993. The York County legislative delegation would appoint a special apportionment commission that would submit the necessary