

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
STATE AND LOCAL GOVERNMENT**

AUGUST 1991

Staff:

Karen L. Hruby, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207) 289-1670*

MEMBERS:

**Sen. Georgette B. Berube
Sen. Beverly Miner Bustin
Sen. Jerome A. Emerson*

**Rep. Ruth Joseph
Rep. Conrad Heeschen
Rep. Anne M. Larrivee
Rep. Glenith C. Gray
Rep. George J. Kerr
Rep. Merton C. Waterman
Rep. Marge Kilkelly
Rep. Theone F. Look
Rep. Lawrence F. Nash
Rep. Elmer N. Savage*

**Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
RON CLARK
RYAN M. DYTTER
BRO FLATEBO
DEBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
KANE ORBETON



KAREN L. HRUBY
JILL IPPOLITI
JOHN B. KNOX
PATRICK NORTON
MARGARET J. REINSCH
PAUL J. SAUCIER
HAVEN WHITESIDE
MILA M. DWELLEY, RES. ASST.
ROY W. LENARDSON, RES. ASST.
BRET A. PRESTON, RES. ASST.

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

property agree to the expansion. The bill also integrated Title 30-A, section 3442 with the impact fee legislation found in Title 30-A, section 4354 by making it clear that impact fees may be assessed in various amounts against developers whose projects require a sewer extension, regardless of the restrictions in Title 30-A, section 3442, subsection 2.

Committee Amendment "A" changed the bill to increase from 50% to 75% the percentage of the number of landowners who must petition the municipal officers to extend the sewer to benefit their property when they are willing to pay more than 50% of the cost as presently required by law. It deleted provisions giving the same right to the owner or owners of more than 50% of the land that would be benefited.

House Amendment "A" was presented on behalf of the Committee on Bills in Second Reading to amend the enacting clause and language of the Maine Revised Statutes, Title 30-A, section 4354 to reflect changes made to that section by Public Law 1991, chapter 18.

LD 1115

An Act Establishing Procedures for Notice of Proposed Zoning Changes

PUBLIC 504

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
DORE LARRIVEE GRAY KERR	OTP-AM	H-644

SUMMARY

Current law requires that, when a property is under consideration for conditional or contract rezoning, all abutters must be given notice and an opportunity to be heard. This bill extended that requirement to all proposed rezonings and also required that notice be given to the owner of the property that is to be rezoned.

Committee Amendment "A" clarified provisions in the bill relating to a municipality's responsibilities for informing the public about proposed zoning ordinances that would change the use of a zone by either permitting industrial, commercial or retail development in a zone where such uses were previously prohibited or by prohibiting such uses in a zone where they were previously permitted. The amendment added provisions to the bill that would permit the Superior Court to invalidate an ordinance if an abutter to the new zone or a property owner within the zone demonstrated to the court on appeal that the municipality failed to send that person the notice required by law, that the person had no knowledge of the proposed zoning change and that the person was prejudiced by that lack of knowledge.

LD 1124

An Act Concerning the Maine Turnpike Authority

ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MILLS BOUTILIER GOULD R R	ONTP	

SUMMARY

This bill would have increased the membership of the Maine Turnpike Authority from 4 to 5. The bill also provided that the election of an executive director or general manager was subject to review and confirmation by the Legislature.