

MAINE STATE LEGISLATURE

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**STATE OF MAINE
118TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

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

JULY 1997

MEMBERS:

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Sen. Jill M. Goldthwait

Sen. James D. Libby

Rep. Douglas J. Ahearne, Chair

Rep. William Lemke

Rep. Lucien A. Dutremble

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Rep. Belinda A. Gerry

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Maine State Legislature

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**ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees
August 1997**

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

- CARRIED OVER*.....*Bill carried over to Second Regular Session*
- CON RES XXX*.....*Chapter # of Constitutional Resolution passed by both Houses*
- CONF CMTE UNABLE TO AGREE*.....*Committee of Conference unable to agree; bill died*
- DIED BETWEEN BODIES*.....*House & Senate disagree; bill died*
- DIED IN CONCURRENCE*.....*One body accepts ONTP report; the other indefinitely postpones the bill*
- DIED ON ADJOURNMENT*.....*Action incomplete when session ended; bill died*
- EMERGENCY*.....*Enacted law takes effect sooner than 90 days*
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....*Emergency bill failed to get 2/3 vote*
- FAILED ENACTMENT/FINAL PASSAGE*.....*Bill failed to get majority vote*
- FAILED MANDATE ENACTMENT*.....*Bill imposing local mandate failed to get 2/3 vote*
- INDEF PP*.....*Bill Indefinitely Postponed*
- ONTP*.....*Ought Not To Pass report accepted*
- OTP ND*.....*Committee report Ought To Pass In New Draft*
- OTP ND/NT*.....*Committee report Ought To Pass In New Draft/New Title*
- P&S XXX*.....*Chapter # of enacted Private & Special Law*
- PUBLIC XXX*.....*Chapter # of enacted Public Law*
- RESOLVE XXX*.....*Chapter # of finally passed Resolve*
- UNSIGNED*.....*Bill held by Governor*
- VETO SUSTAINED*.....*Legislature failed to override Governor's Veto*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director

Offices Located in the State House, Rooms 101/107/135

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| <u>Sponsor(s)</u> AHEARNE | | <u>Committee Report</u> ONTP | | <u>Amendments Adopted</u> |
|------------------------------|--|---------------------------------|--|---------------------------|

LD 449 proposed to authorize the Legislative Council to create the Legislative Finance Office, which would have provided budget analysis as well as developed and analyzed alternative fiscal policies.

LD 450 **An Act to Amend the Date for Recognizing Marginal Discharges of Mortgages** **PUBLIC 103**

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| <u>Sponsor(s)</u> LAVERDIERE | | <u>Committee Report</u> OTP | | <u>Amendments Adopted</u> |
|---------------------------------|--|--------------------------------|--|---------------------------|

LD 450 proposed that a marginal discharge of a mortgage recorded prior to April 1, 1974 and attested by the register of deeds as being recorded in the margin of the original mortgage is valid. Current law provides that only such a mortgage recorded prior to August 6, 1949 is valid.

Enacted law summary

Public Law 1997, chapter 103 provides that a marginal discharge of a mortgage recorded prior to April 1, 1974 and attested by the register of deeds as being recorded in the margin of the original mortgage is valid. Current law provides that only such a mortgage recorded prior to August 6, 1949 is valid.

LD 458 **RESOLUTION, Proposing an Amendment to the Constitution of Maine to Change the Manner in Which the Legislature Calls Itself into Special Session** **DIED BETWEEN BODIES**

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|------------------------------|--|-----------------------------------|--|---------------------------|
| <u>Sponsor(s)</u> AHEARNE | | <u>Committee Report</u> OTP-AM | | <u>Amendments Adopted</u> |
|------------------------------|--|-----------------------------------|--|---------------------------|

LD 458 proposed an amendment to the Constitution of Maine to change the manner in which the Legislature may call itself into special session. The Constitution of Maine currently provides for special session with consent of a majority of the members of each political party represented in the Legislature. The amendment would have provided for the calling of a special session with consent of a majority of the members of each House of the Legislature.

Committee Amendment "A" (H-144) would have added a fiscal note to the bill.

Senate Amendment "A" (S-125) would have required a two-thirds vote of the membership of each House of the Legislature, rather than a majority vote, to call the Legislature into special session.