

# 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 I - STATE GOVERNMENT

JULY 1989

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Staff: Ted Potter, Legislative Analyst

Office of Policy & Legal Analysis  
Room 101, State House Sta. 13  
Augusta, ME 04333  
(207) 289-1670

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

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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.

LD 803      **Resolve, Authorizing the Transfer of State Interest in a  
Parcel of Real Estate to Arthur A. Tukey and Louise H. Tukey**

RESOLVE 18

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
KILKELLY	OTP-AM	H-155    JOSEPH
BEGLEY		H-97

SUMMARY

LD 803 proposed that the Director of the Bureau of Public Lands transfer the State's 1/9 interest in a parcel of land in Bristol, Maine to Arthur and Louise Tukey.

The Tukey family has owned land in the Bristol area since the 1700's, including the 1 1/4 acre site on which their present home is situated. One of the Tukey ancestors, Emanuel Russell, died intestate (left no will), and with no heirs. As a result, his share (1/9) of the 1 1/4 acre site escheated to the State. The Tukeys have requested the bill to clear the title to the property.

**LD 808      RESOLUTION, Proposing An Amendment to the Constitution of  
Maine to Allow for the Popular Initiation of Amendments to  
the Maine Constitution**

ONTP-MAJ REP  
ACCEPTED

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
HEPBURN	ONTP      MAJ	
TWITCHELL	OTP-AM    MIN	
AIKMAN		

SUMMARY

LD 808 proposed that amendments to the Maine Constitution may be made through the popular initiative process and ratified by the general public, provided the Legislature fails to enact the initiated amendment without change. An initiated Constitutional Amendment petition would require the signatures of 15% of the total vote for Governor cast in the last gubernatorial election.

Proponents argued that the general public should have the same right to initiate a Constitutional Amendment as the public has with an initiated law. The Legislature should not be able to thwart public opinion.

Opponents, on the other hand, argued for a system of checks and balances and serious consideration of Constitutional Amendments. Opponents asserted that the Constitution is not merely a law. It is the basis on which fundamental human rights are based and should not be subject to whim or public emotion.

~~The bill was amended by the Committee to provide that the transfer be made at no cost to the Tukey family. The House Amendment corrected an incomplete description of the property.~~