

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 electronic originals
(may include minor formatting differences from printed original)

**STATE OF MAINE
117TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY**

JUNE 1996

MEMBERS:

Sen. S. Peter Mills III, Chair

Sen. Joan M. Pendexter

Sen. Sean F. Faircloth

Rep. Sharon Anglin Treat, Chair

Rep. William Lemke

Rep. Fred L. Richardson

Rep. Kyle W. Jones

Rep. Lloyd P. LaFountain III

Rep. Elizabeth Watson

Rep. Debra Plowman

Rep. Robert R. Hartnett

Rep. David R. Madore

Rep. Richard A. Nass

Rep. Frederick J. Moore III

Staff:

Margaret J. Reinsch, Principal Analyst

Lisa Copenhaver, Legislative Analyst

Office of Policy and Legal Analysis

Room 101/107/135, 13 State House Station

Augusta, ME 04333

(207)287-1670



**Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

**ONE HUNDRED SEVENTEENTH LEGISLATURE
SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees
June 1996***

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.

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:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

LD 1799 **An Act Concerning Notice in Foreclosure Proceedings**

PUBLIC 654

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE GWADOSKY	OTP-AM	H-793 S-571

LD 1799 proposed to require a mortgagee to notify a cosigner designated on a mortgage obligation prior to accelerating maturity of the unpaid balance of the obligation or otherwise enforcing the mortgage.

Committee Amendment "A" (H-793) proposed to delete the current provision that exempts supervised lenders and supervised financial organizations from the requirements of the law governing foreclosure of mortgages upon mortgagor-occupied residential property.

Senate Amendment "A" (S-571) proposed to prohibit a mortgagee from accelerating maturity of an unpaid balance of a mortgage that secures a loan for personal, family or household use unless the specified requirements are met.

Enacted law summary

Public Law 1995, chapter 654 deletes the current provision that exempts supervised lenders and supervised financial organizations from the requirements of the law governing foreclosure of mortgages upon mortgagor-occupied residential property. It prohibits a mortgagee from accelerating maturity of an unpaid balance of a mortgage that secures a loan for personal, family or household use unless the specified requirements are met. It ensures that all mortgagors and cosigners will receive reinstatement notice, notice of the right to cure or equivalent notice. The chapter does not require additional notice if the mortgage deed contains language requiring notice to mortgagors and cosigners. Similar notice is currently required in a mortgage sold on the secondary market.

LD 1805 **An Act to Amend the Charter of the Somerset Woods Trustees
in Order to Qualify the Charter as a Charitable Corporation
under Internal Revenue Service Rules**

P & S 66

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS	OTP	

LD 1805 proposed to amend the charter of the Somerset Woods Trustees so that the corporation would qualify as a charitable corporation under guidelines established by the Internal Revenue Service.

Enacted law summary

Private and Special Law 1995, chapter 66 amends the charter of the Somerset Woods Trustees, specifying the corporation's permissible activities to ensure that the corporation qualifies as a charitable corporation under guidelines established by the Internal Revenue Service.