

# 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  
119TH LEGISLATURE**

**FIRST REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
JUDICIARY**

**JULY 1999**

**MEMBERS:**

*Sen. Susan W. Longley, Chair*

*Sen. Sharon Anglin Treat*

*Sen. John W. Benoit*

*Rep. Richard H. Thompson, Chair*

*Rep. Thomas Bull*

*Rep. Charles C. Laverdiere*

*Rep. Patricia T. Jacobs*

*Rep. Charles E. Mitchell*

*Rep. William S. Norbert*

*Rep. Debra D. Plowman*

*Rep. David R. Madore*

*Rep. G. Paul Waterhouse*

*Rep. William J. Schneider*

*Rep. Donna M. Loring*

**Staff:**

*Margaret J. Reinsch, Principal Analyst*

*Deborah C. Friedman, 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 NINETEENTH LEGISLATURE**  
**FIRST REGULAR SESSION**

**Summary Of Legislation Before The Joint Standing and Select Committees**  
**August 1999**

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

The document is organized for convenient reference to information on bills considered by the committees. It is organized 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](http://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  
*ENACTMENT FAILED*..... Bill failed to get vote required for enactment or final passage  
*NOT PROPERLY BEFORE THE BODY*..... Ruled out of order by the presiding officers; bill died  
*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 September 18, 1999.

LD 38 proposed to authorize the Probate Court to order a parent to pay child support when a guardian is appointed for the child.

**Committee Amendment "A" (S-19)** proposed to ensure that all aspects of child support calculation and enforcement apply to orders issued by the Probate Court when that court orders a parent to pay child support when a guardian is appointed for a child.

*Enacted law summary*

Public Law 1999, chapter 46 authorizes the Probate Court to order a parent to pay child support when a guardian is appointed for the child. To determine the amount of child support to be paid, the court must use the child support guidelines that apply in all other child support determinations. All enforcement provisions that apply to child support orders apply to orders issued by the Probate Court.

**LD 57**                                      **An Act to Change Reporting Requirements of Certain HIV Test Results**                                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHIELDS	ONTP      MAJ OTP      MIN	

LD 57 proposed to require positive HIV test results and the name of the person tested to be reported to the Department of Human Services.

**LD 58**                                      **An Act Regarding the Composition of the Maine HIV Advisory Committee**                                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHIELDS	ONTP      MAJ OTP      MIN	

LD 58 proposed to revise the membership of the Maine HIV Advisory Committee to provide for the appointment of nine members, serving for two-year, rather than the present three-year, terms. The bill proposed that members be appointed by the Governor, the President of the Senate and the Speaker of the House based upon knowledge and experience, rather than upon representation of particular interested parties.

**LD 72**                                      **An Act to Require Small Claims to be Brought in the County where the Transaction Occurred**                                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOOLEY CAREY	ONTP	

LD 72 proposed to require a civil action under the small claims laws to be brought in a division of the District Court in the county where the transaction occurred.