

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).

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.

other provisions of the Maine Probate Code's wrongful death statute, including caps on the amount of damages recoverable, will apply.

This bill has been carried over to the Second Regular Session.

LD 1486 **An Act to Include Fraudulent Billing by Attorneys under the Unfair Trade Practices Act** **ONTP**

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

LD 1486 proposed to amend the Maine Unfair Trade Practices Act to allow its civil remedies to apply to attorneys' billing practices that are unfair competition or deceptive acts.

LD 1487 **An Act to Bring Equity into Custodial Agreements** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|----------------------------------|---------------------------|
| STANWOOD | ONTP MAJ OTP-AM MIN | |

LD 1487 proposed to create a presumption in custody cases that an equal allocation of parental rights and responsibilities is in the best interest of the child.

Committee Amendment "A" (H-530), the minority report of the committee, proposed to strike out the language in the bill referring to an agreement of the parties for an allocation other than equal allocation of parental rights and responsibilities. (Not adopted)

LD 1488 **An Act to Ensure Compliance with Court Orders Relating to Child Visitation** **DIED BETWEEN BODIES**

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

LD 1488 proposes to require a judge to provide compensatory visitation if the parent who has primary physical residence with the child denies visitation.

LD 1514 **An Act to Amend the Filing Requirements to Perfect a Purchase Money Security Interest in Consumer Goods** **ONTP**

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