

# MAINE STATE LEGISLATURE

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**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*

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*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.

Public Law 1999, chapter 290 provides immunity to persons authorized by rules, adopted by the Attorney General, to conduct body cavity searches if the person, exercising due care, conducts a body cavity search pursuant to a search warrant directing a body cavity search.

**LD 1549**                      **An Act to Protect the Riparian Rights of Owners of Rockweed, Seaweed and Other Assets on Intertidal Land**                      **ONTP**

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

LD 1549 proposed to prohibit cutting down, harvesting, destroying, injuring or carrying away seaweed, rockweed, marine vegetation, stones, gravel, ore or property of any kind on intertidal land without the permission of the owner.

**LD 1557**                      **An Act to Expand a Judge's Powers for Contemptuous Failure to Pay**                      **CARRIED OVER**

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

LD 1557 proposes to expand the remedies a court has when finding a person in civil contempt for failure to pay a fine, surcharge or assessment for the violation of any civil or criminal statute. The bill proposes that, in addition to a reasonable fine and term of imprisonment, the court may suspend any license or registration issued by the State, including hunting and fishing licenses and drivers' licenses.

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

**LD 1577**                      **An Act to Amend the Liability Limit under the Maine Tort Claims Act**                      **PUBLIC 460**

|                               |  |   |  |                                    |
|-------------------------------|--|---|--|------------------------------------|
| <u>Sponsor(s)</u><br>THOMPSON |  | <u>Committee Report</u><br>OTP-AM    MAJ<br>ONTP        MIN |  | <u>Amendments Adopted</u><br>H-565 |
|-------------------------------|--|---|--|------------------------------------|

LD 1577 proposed to increase the liability limit under the Maine Tort Claims Act from \$300,000 to \$500,000.

**Committee Amendment "A" (H-565)** proposed to raise the liability limit to \$400,000 instead of \$500,000 as proposed in the bill.

***Enacted law summary***

Public Law 1999, chapter 460 increases the liability limit under the Maine Tort Claims Act from \$300,000 to \$400,000. Pursuant to LD 2255, Part C, the increased limit applies to claims or actions arising out of acts or omissions occurring on or after the effective date of chapter 460.