

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
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1989

owner to the same degree they would be protected if the property were delivered to the administrator.

See title page for effective date.

CHAPTER 370

H.P. 1196 - L.D. 1663

An Act to Clarify the Liability of Relatives for Support

Be it enacted by the People of the State of Maine as follows:

22 MRSA §4319, as amended by PL 1983, c. 701, §5, is repealed and the following enacted in its place:

§4319. Liability of relatives for support

1. Relatives liable. A parent or grandparent living in or owning property in the State shall support persons for whom they are legally responsible in proportion to their respective ability. Liability for burial expenses is governed by section 4313.

2. Exception. A municipality or the State may decide not to make payments for rental assistance on behalf of an otherwise eligible individual when the rental payments would be made to a parent or grandparent, by consanguinity, unless the municipality finds that the rental arrangement has existed for 3 months prior to the application for assistance and is necessary to provide the parent or grandparent with basic necessities.

3. Recovery of assistance provided. A municipality or the State, after providing general assistance to a dependent of a legally responsible parent or grandparent who is financially capable of providing support, may then seek reimbursement or relief for that support by initiating a complaint to the Superior Court or District Court, including by small claims action, located in the division or county where the legally responsible parent or grandparent resides. The court may cause the legally responsible parent or grandparent to be summoned and upon hearing or default may assess and apportion a reasonable sum upon those who are found to be of sufficient ability for the support of the eligible person and shall issue a writ of execution. The assessment shall not be made to pay any expense for relief provided more than 6 months before the complaint was filed. Any action brought under this section shall be governed by the Maine Rules of Civil Procedure. The court may, from time to time, make any further order on complaint of a party interested and, after notice is given, alter the assessment or apportionment.

See title page for effective date.

CHAPTER 371

H.P. 1192 - L.D. 1659

An Act to Facilitate District Court Judicial Administration

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §4653, sub-§3, as enacted by PL 1987, c. 515, §1, is amended to read:

3. Fees. No fee may be charged for forms or filing of a petition. A plaintiff may apply for the right to proceed in forma pauperis.

Sec. 2. 29 MRSA c. 16, as amended by PL 1987, c. 495, is repealed.

See title page for effective date.

CHAPTER 372

S.P. 553 - L.D. 1556

An Act to Provide Additional Protection in Cases of Domestic Abuse

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 15 MRSA §321, sub-§4, as enacted by PL 1983, c. 619, is amended to read:

4. Issuance of order. The clerk may issue, without fee, a copy of a protective order, amendment or revocation to the offender, the victim and, ~~as the court directs,~~ to the law enforcement agencies most likely to enforce it as determined by the court.

Sec. 2. 19 MRSA §767, as repealed and replaced by PL 1979, c. 677, §§14 and 18, is amended to read:

§767. Notification

The clerk shall issue, without fee, a copy of an order, agreement, amendment or revocation to the plaintiff, the defendant and, ~~as the court directs,~~ to the law enforcement agencies most likely to enforce it as determined by the court.

See title page for effective date.

CHAPTER 373

H.P. 1112 - L.D. 1545

An Act to Establish Municipal Cost Components for Services to be Rendered in Fiscal Year 1989-90