

MAINE STATE LEGISLATURE

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**STATE OF MAINE
114TH LEGISLATURE
FIRST REGULAR SESSION**



**BILL SUMMARY
JOINT STANDING COMMITTEE
ON
JUDICIARY
JULY 1989**

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Sen. N. Paul Gauvreau
Sen. Muriel D. Holloway

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Rep. John H. Richards

*** Denotes Chair**

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ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1989

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are abbreviated as follows:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
GAUVREAU SMALL CONLEY HANLEY	OTP	

SUMMARY

This bill extends coverage of the Maine Tort Claims Act to cover sheriff's deputies when they are required to serve civil orders of arrests.

LD 373 An Act to Further Protect Child Victims of Abuse **LV/WD**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
ANTHONY	LV/WD	

SUMMARY

The bill allowed judges to appoint guardians ad litem for children whose parents are involved in protection-from-abuse proceedings. It also enabled judges to hear out-of-court statements by children under certain circumstances.

LD 379 An Act to Amend the Small Claims Laws **PUBLIC 88**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
HANLEY PARADIS P RICHARDS HASTINGS	OTP-AM	H-70

SUMMARY

Section 1 of the bill required that a statement of claim and notice of hearing served on the defendant personally to be at the expense of the defendant. Section 2 of the bill provides that the judge may assess a minimum \$15 monthly installment payment.

Committee Amendment "A" (H-70) clarified in Section 1 that the 2nd notice of the disclosure hearing after a judgment is rendered will be made at the judgment debtor's expense.

LD 393 An Act to Amend the Law to Provide for Appeal of Civil Contempt Orders **PUBLIC 121**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
MACBRIDE COTE	OTP	

SUMMARY

This bill provides for the appeal of civil contempt orders and makes the law consistent with the recent Law Court decision in International Paper Co. v. UPIU, which provided that an appeal from an order of civil contempt was not limited solely to questions of jurisdiction.