

# 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*

*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*

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**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.

immediately for examination in accordance with the Uniform Health-care Decisions Act to determine whether the person is competent and whether the conditions of the advance health care directive are met.

**LD 722**

**An Act to Increase Adoptions**

**PUBLIC 78**

<u>Sponsor(s)</u> BRAGDON		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 722 proposed to bring Maine law into compliance with the federal laws by removing references to cultural, ethnic and racial background from the adoption law.

This bill was submitted on behalf of the Department of Human Services.

*Enacted law summary*

Public Law 1999, chapter 78 brings Maine law into compliance with federal law concerning the placement of children for adoption by removing references to cultural, ethnic and racial background from the adoption law.

**LD 724**

**An Act to Define Paralegals and Legal Assistants**

**PUBLIC 379**

<u>Sponsor(s)</u> MADORE KONTOS		<u>Committee Report</u> OTP MAJ ONTP MIN		<u>Amendments Adopted</u>
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LD 724 proposed to require any person who uses the title "paralegal" or "legal assistant" to be qualified by education, training or work experience; and supervised by an attorney to the extent that the attorney is ultimately responsible for the work.

*Enacted law summary*

Public Law 1999, chapter 379 requires any person who uses the title "paralegal" or "legal assistant" to be qualified by education, training or work experience; and supervised by an attorney to the extent that the attorney is ultimately responsible for the work. A person who claims to be a paralegal or a legal assistant and does not meet the statutory definition commits a civil violation for which a forfeiture of up to \$1000 may be adjudged.

**LD 748**

**An Act to Strengthen the Collection of Money Judgments**

**ONTP**

<u>Sponsor(s)</u> O'NEIL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 748 proposed to impose a monetary penalty on judgment debtors who fail to appear in court in response to subpoenas or at disclosure hearings. The bill also proposed to require the court to allow a judgment creditor five hours to appear in court after a civil order of arrest has been accomplished.