

MAINE STATE LEGISLATURE

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STATE OF MAINE
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY

MAY 1992

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1992

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the far right of the title. Various types of final action are abbreviated as follows:

| | |
|----------------------------|--|
| PUBLIC XXX | Chapter # of enacted Public Law |
| P&S XXX | Chapter # of enacted Private & Special Law |
| RESOLVE XXX | Chapter # of enacted Resolve |
| CON RES XXX | Chapter # of Constitutional Resolution passed by both Houses |
| EMERGENCY | Enacted law takes effect sooner than 90 days |
| CARRIED OVER | Bill carried over to Special Session |
| ONTP | Ought Not to Pass report accepted |
| LVWD | Leave to Withdraw report accepted |
| INDEF PP | Bill Indefinitely Postponed |
| FAILED EMERGENCY ENACTMENT | Emergency bill failed to get 2/3 vote |
| DIED BETWEEN BODIES | House and Senate disagree; bill died |
| CONF CMTE UNABLE TO AGREE | Committee of Conference formed but unable to agree |
| VETO SUSTAINED | Legislature filed to override Governor's Veto |
| UNSIGNED | Not signed by Governor within 10 days |
| DIED ON ADJOURNMENT | Action incomplete when session ended; bill died |

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

LD 1514 **An Act to Limit the Liability of Nonprofit Food Providers
Who Supply Meals and Other Food to Low-income and Homeless
Persons** **ONTP**

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|--------------------------------------|-------------------------|---------------------------|
| OLIVER GEAN LAWRENCE CONLEY | ONTP | |

SUMMARY

The bill clarified and added specificity to current law providing immunity to persons who donate food or distribute donated food for charitable activities at little or no charge.

See also LD 2150.

LD 1550 **An Act to Amend the Maine Indian Claims Settlement Laws to
Clarify Land Use in Indian Territory** **ONTP**

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|--------------------|-------------------------|---------------------------|
| CASHMAN PEARSON | ONTP | |

SUMMARY

The purpose of the bill was to amend the law to recognize that land ownership and land use are fundamentally different in the Penobscot Indian territory than in any other part of the State. The bill provided for greater flexibility in land use management than is currently provided for under state law. The bill also provided a mechanism addressing remedial solutions by the State and the Penobscot Nation. The bill further provided a mechanism for allowing the State certain review powers over Penobscot Indian territory. This review power is similar to that which is provided for hunting and trapping under the terms of the Act to Implement the Maine Indian Claims Settlement.

See LD 1776, Committee Amendment "A".

LD 1590 **An Act to Establish the Maine Volunteer Service Act** **ONTP**

| SPONSOR(S) | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|---------------------------------|-------------------------|---------------------------|
| MARTIN J BUSTIN CARROLL D | ONTP | |

SUMMARY

The bill tracked the Model State Volunteer Service Act, December 1990, developed by the United States Department of Justice and was intended to serve the purposes outlined in the preamble to that Act. It provided immunity from suit for the acts and omissions of volunteers to nonprofit organizations, corporations or hospitals when acting within the scope of their official functions. Unlike the model act, volunteers to governmental entities were not covered as they are already granted immunity under the Maine Tort Claims Act. Suits against volunteers for motor vehicle accidents were excluded from the immunity up to the limits of applicable insurance coverage.