

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY

MAY 1992

Staff:

*Margaret J. Reinsch, Legislative Analyst
Deborah C. Friedman, Legislative Analyst
Julie S. Jones, Principal Analyst*

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207)287-1670*

MEMBERS:

**Sen. N. Paul Gauvreau
Sen. Georgette B. Berube
Sen. Muriel D. Holloway*

**Rep. Patrick E. Paradis
Rep. Constance D. Cote
Rep. Patricia M. Stevens
Rep. Cushman D. Anthony
Rep. Susan Farnsworth
Rep. Mary R. Cathcart
Rep. Andrew Ketterer
Rep. Dana C. Hanley
Rep. John H. Richards
Rep. David N. Ott*

**Denotes Chair*

IARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
DON CLARK
YAN M. DYTTER
BRO FLATEBO
EBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
KANE ORBETON



KAREN L. HRUBY
JILL IPPOLITI
JOHN B. KNOX
PATRICK NORTON
MARGARET J. REINSCH
PAUL J. SAUCIER
HAVEN WHITESIDE
MILA M. DWELLEY, RES. ASST.
ROY W. LENARDSON, RES. ASST.
BRET A. PRESTON, RES. ASST.

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

**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.