MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

SECOND REGULAR SESSION-2000

Legislative Document

No. 2480

H.P. 1767

House of Representatives, January 11, 2000

An Act to Allow Police Assistance in Emergency Situations.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on State and Local Government suggested and ordered printed.

GOSEPH W. MAYO, Clerk

Presented by Representative MURPHY of Berwick.
Under suspension of the rules, cosponsored by President LAWRENCE of York and Representatives: BUCK of Yarmouth, CAMERON of Rumford, COLWELL of Gardiner, GAGNON of Waterville, LEMONT of Kittery, MATTHEWS of Winslow, MURPHY of Kennebunk, WHEELER of Eliot, Senators: FERGUSON of Oxford, KONTOS of Cumberland, RAND of Cumberland, RUHLIN of Penobscot.

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

Sec. 1. 30-A MRSA §2674, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended by adding a new 3rd paragraph to read:

If the request for assistance is for a major unplanned incident that jeopardizes the health and welfare of the citizens of the requesting municipality and when delay may cause further jeopardy to life or property, the police chief of any municipality or the chief's designee may request assistance from or provide assistance to another municipality whether or not an agreement between the 2 municipalities exists. Each police department shall assume its own liability to a 3rd party, except for liability incurred by the command or operational decisions made by the requesting department, which must be assumed by the requesting department.

SUMMARY

Current law allows one police department to assist another police department only if their respective municipalities have preexisting agreements concerning liability. This bill allows a police department to respond to a request for assistance from another police department when there is no liability agreement if the assistance is for a major unplanned incident, in which case liability remains with the responding department except for command or operational decisions made by the requesting department.