

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 1994 to June 30, 1995**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 29, 1995**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

**Sec. 5. 5 MRSA §4654, sub-§4, ¶¶A and B,** as enacted by PL 1987, c. 515, §1, are amended to read:

A. Imposing any restraint upon the person or liberty of the plaintiff or the plaintiff's employees;

B. Threatening, assaulting, molesting, harassing or otherwise disturbing the peace of the plaintiff or the plaintiff's employees;

**Sec. 6. 5 MRSA §4654, sub-§4, ¶C,** as repealed and replaced by PL 1993, c. 680, Pt. A, §10, is amended to read:

C. Entering the plaintiff's residence or property, provided that the court may not use this subsection to evict a defendant from the rental premises in an action brought by a plaintiff;

**Sec. 7. 5 MRSA §4655, sub-§1, ¶A,** as amended by PL 1987, c. 708, §5, is further amended to read:

A. Directing the defendant to refrain from harassing, threatening, assaulting, molesting, attacking or otherwise abusing the plaintiff or the plaintiff's employees;

**Sec. 8. 5 MRSA §4655, sub-§1, ¶B,** as amended by PL 1993, c. 199, §6, is further amended to read:

B. Directing the defendant to refrain from going on the premises of the plaintiff's residence or property, provided that the court may not use this subsection to evict a defendant from the rental premises in an action brought by a plaintiff;

**Sec. 9. 5 MRSA §4655, sub-§1, ¶D,** as amended by PL 1993, c. 475, §2, is further amended to read:

D. Ordering payment of monetary compensation to the plaintiff for losses suffered as a direct result of the harassment. Compensatory losses are limited to loss of earnings or support; reasonable expenses incurred for safety protection; reasonable expenses incurred for personal injuries or property damage; and reasonable moving expenses. Upon the motion of either party, for sufficient cause, the court may set a later hearing on the issue of the amount of damages, if any, to be awarded. If it appears from the petition that an order under this paragraph may be granted, the plaintiff or defendant may remove the issue of monetary compensation to the Superior Court where a jury trial may be had. Removal must be

requested by motion prior to a hearing under section 4654;

See title page for effective date.

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## CHAPTER 266

H.P. 785 - L.D. 1102

### An Act to Exempt Bows from the Firearms Discharge Ordinances

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

**Sec. 1. 30-A MRSA §3007, sub-§5** is enacted to read:

**5. Firearms and bows and arrows. Municipalities may not include bows and arrows in any firearms discharge ordinances.**

See title page for effective date.

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## CHAPTER 267

S.P. 467 - L.D. 1263

### An Act to Delegate Permit-granting Authority to Municipalities

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

**Sec. 1. 38 MRSA §480-F, sub-§1,** as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §74, is further amended to read:

**1. Delegation.** A municipality may apply to the board for authority to issue permits under this article. The board shall grant such authority if it finds that the municipality has:

A. Established a planning board and a board of appeals;

B. Adopted a comprehensive plan and related land use ordinances consistent with the criteria set forth in Title 30-A, chapter 187, subchapter II;

C. The financial, technical and legal resources to adequately review and analyze permit applications and oversee and enforce permit requirements;

D. Made provision by ordinance or rule for prompt notice to the commissioner and the public upon receipt of application and written notification to the applicant and the commissioner of