

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON
JUDICIARY
BILL SUMMARY



MAY 1986

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BILL SUMMARIES
MAY 1986

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, covering the Second Regular Session of the 112th Legislature. The summaries are arranged by LD number under each committee.

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

criminal responsibility and competence to stand trial must be completed within 90 days. If further mental examinations are to be conducted, and the defendant remains incarcerated, an initial examination to determine if the defendant must be committed to the custody of the Commissioner of Mental Health and Mental Retardation must be completed within 90 days. If no long-term observation is found to be needed, the further examinations must be completed within 30 days.

LD 1787 AN ACT ESTABLISHING AN IMMUNITY FROM CIVIL LIABILITY FOR CERTAIN SHELTERS FOR THE HOMELESS LVWD

Sponsor: KANY, Jacques, Joseph, Lacroix
Committee Report: LVWD

SUMMARY: This bill sought to provide immunity from civil liability for injury or death for charitable or nonprofit organizations, their employees, and volunteers, where the organization provides shelter to any person in good faith and without charge. The immunity would not have applied in cases of gross negligence, recklessness, or intentional misconduct.

This bill was withdrawn upon receipt of a memo from the Attorney General advising that the doctrine of charitable immunity applies to charitable shelters and their employees. This common law doctrine makes charities immune from tort liability. A statute (14 MRSA §158) does abrogate this immunity to the extent the charity is covered by insurance.

LD 1795 AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A STANDARD OF CARE FOR COMMERCIAL WHITEWATER OUTFITTERS ND LD 2254

Sponsor: MCGOWAN
Committee Report: OTP-ND-NT

SUMMARY: See New Draft, LD 2254.

LD 1819 RESOLVE, TO ESTABLISH A SPECIAL COMMISSION TO EXAMINE LIMITATIONS ON AWARDS GRANTED THROUGH TORT LITIGATION ND LD 2289

Sponsor: THERIAULT, Violette, Paradis, P., Ingraham
Committee Report: OTP-ND, ONTP

SUMMARY: See New Draft, LD 2289.