

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
JUDICIARY
BILL SUMMARY



JUNE 1987

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ONE HUNDRED AND THIRTEENTH LEGISLATURE
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JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1987

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 summaries are arranged by LD number under each committee.

All Adopted 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 "COMMITTEE" if it is a committee amendment.

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

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

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-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

LD AN ACT CONCERNING THE REQUIREMENTS OF LVWD
1426 PRACTICING LAW

Sponsor: WARREN, Gauvreau, Bustin, Racine
Committee Report: LVWD

SUMMARY: This bill sought to require each practicing attorney to accept at least one pro bono case per year. The attorney would not have been able to renew his license without proof of this acceptance.

LD AN ACT TO AMEND THE MAINE JUVENILE CODE TO PL 1987
1429 PROVIDE GREATER FLEXIBILITY IN SENTENCING c. 297
JUVENILE OFFENDERS

Sponsor: GAUVREAU, Warren, Marsano, Cote
Committee Report: OTP

SUMMARY: Under the Juvenile Code as it existed prior to the enactment of this bill, the Juvenile Court could impose incarceration of up to 30 days in a county jail facility only if an underlying commitment to the Maine Youth Center was ordered. The bill allows the Juvenile Court the added option of imposing a county jail sentence of up to 30 days without requiring an underlying sentence to the Youth Center.

LD AN ACT TO INCREASE FINANCIAL SUPPORT FROM LVWD
1450 PARENTS OF CHILDREN IN THE CARE OR CUSTODY OF
THE DEPARTMENT OF HUMAN SERVICES

Sponsor: MCPHERSON, Maybury, Whitmore, Macomber
Committee Report: LVWD

SUMMARY: The bill sought to require a court ordering custody of a child to someone other than a parent under the divorce laws, Juvenile Code, or the Child and Family Services and Child Protection Act, to order the parents to pay child support if the court finds they have the ability to pay.

LD AN ACT CONCERNING THE AUTHORITY OF THE ATTORNEY PL 1987
1451 GENERAL TO REQUEST TELEPHONE RECORDS c. 260

Sponsor: PARADIS, P., Tracy, MacBride, Marsano
Committee Report: OTP

SUMMARY: The bill permits the Attorney General, a deputy attorney general, or a district attorney to seek court-ordered access to records of interstate

telecommunications. Prior to this bill, the statutory language authorizing this access to telephone records, as interpreted in light of the AT&T break-up, referred only to intrastate phone records.

LD AN ACT TO PROVIDE IMMUNITY FROM CIVIL LIABILITY CARRY-OVER
1453 FOR CERTAIN EMERGENCY MEDICAL SERVICE SYSTEM
PARTICIPANTS

Sponsor: GREENLAW, Dillenback, Dexter, Carroll
Committee Report: Carry-Over

SUMMARY: The bill seeks to provide immunity from civil liability for emergency medical service councils, and relevant faculty, instructors, hospital personnel, and hospitals when participating in teaching and training activities leading to the licensure of EMS personnel. The bill gives similar immunity to those physicians, nurses, and hospitals providing emergency care ordered by a medical control physician that is consistent with EMS system's protocols and quality assurance guidelines. The immunity applies when the individual, organization, or institution has acted in good faith, with reasonable care, and, as applicable, upon probable cause.

LD AN ACT TO CLARIFY ABROGATION OF CONFIDENTIALITY PL 1987
1481 OF COMMUNICABLE DISEASE INFORMATION FOR CHILD c. 270
AND ADULT PROTECTION PURPOSES

Sponsor: KIMBALL, Sewall, Twitchell, Manning
Committee Report: OTP

SUMMARY: LD 1481 authorizes the release of information regarding persons having or suspected of having notifiable communicable diseases (primarily sexually-transmitted diseases) to the Department of Human Services for adult or child protective purposes.

LD AN ACT TO UPDATE REFERENCES TO IMMUNITIES OF PL 1987
1488 STATE MILITARY FORCES UNDER THE STATE TORT c. 218
CLAIMS ACT

Sponsor: GARLAND, Strout, B., Dillenback
Committee Report: OTP

SUMMARY: The bill amends the Maine Tort Claims Act to more accurately refer to the personnel and activities of the state military forces covered by that Act.