

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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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
1777

AN ACT TO CLARIFY AND LIMIT PERSONAL LIABILITY
OF VOLUNTEER FIREMEN AND VOLUNTEER AMBULANCE
DRIVERS

PL 1987
c. 386
EMERGENCY

Sponsor: KILKELLY, Coles, Cahill, Sewall
Committee Report: New Draft of LD 907

SUMMARY: The new draft clarifies the Maine Tort Claims Act's application to volunteer firefighters who are members of a volunteer fire association receiving some funding from or otherwise officially recognized by a municipality and to the association itself. The bill also amends the Tort Claims Act to cover clearly emergency medical service personnel acting for a nonprofit, incorporated, licensed ambulance service or first responder service and such service itself. To be included in the Tort Claims Act the service must receive some funding, or otherwise be officially recognized, by a governmental entity. The governmental entity may expressly authorize the emergency medical service to perform only certain activities on its behalf. In such a case, the emergency medical service would not be covered by the Tort Claims Act when it is acting outside the scope of those authorized activities.

LD
1787

AN ACT TO REVISE THE HARASSMENT LAW

PL 1987
c. 515

Sponsor: RAND, Stevens, P., Gauvreau
Committee Report: ND Maj Rpt of LD 1331
Amendments Adopted:
S-188 GAUVREAU
S-287 PEARSON

SUMMARY: The new draft protects any person, family or their property or advocate from any repeated act of intimidation, harassment, physical force or threat of physical force directed at the person, family, property, or advocate with the intention of causing fear or intimidation or to deter free exercise or enjoyment of any rights or privileges secured by the Maine and United States Constitutions. The bill provides for these individuals a method of obtaining a court order to protect them from further harassment, which may initially be a temporary ex parte order provided:

the court finds that the plaintiff may be in immediate and present danger of physical abuse or may suffer extreme emotional distress;

the court finds that the plaintiff has indicated whether or not he has contacted law enforcement officials;