

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON
JUDICIARY
BILL SUMMARY



MAY 1986

PREPARED BY:

Martha E. Freeman, Legal Analyst

OFFICE OF POLICY AND LEGAL ANALYSIS
STATE HOUSE, STATION 13 AUGUSTA, MAINE 04333
(207) 289-1670



HELEN T. GINDER, DIRECTOR
HAVEN WHITESIDE, ASST. DIRECTOR
GILBERT W. BREWER
DAVID C. ELLIOTT
MARTHA E. FREEMAN
JERI B. GAUTSCHI
CHRISTOS GIANOPOULOS
WILLIAM T. GLIDDEN, JR.

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

JULIE S. JONES
JOHN B. KNOX
EDWARD POTTER
MARGARET J. REINSCH
LARS H. RYDELL
JOHN R. SELSER
ANDREA L. COLNES, RES. ASST.

ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE
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
ONTF	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

LD AN ACT TO CLARIFY THE SEPARATION OF JUVENILES
2334 FROM ADULTS WHEN JUVENILES ARE DETAINED IN
 COUNTY JAILS

PL 1985
c. 715

Sponsor: MATTHEWS, Z., Carpenter, Priest
Committee Report: New Draft of LD 1983.

SUMMARY: Under current provisions of the Maine Juvenile Code, it is clear that a juvenile, upon arrest, may not be detained with adults in correctional facilities. Until this bill, the laws did not specifically state this prohibition with respect to juveniles who have been adjudicated as having committed juvenile offenses. The bill amends the dispositional provisions of the Maine Juvenile Code and the county law enforcement statutes to clearly state that a juvenile in any status in a county jail must be separated from adults.

LD AN ACT TO ESTABLISH POLICIES GOVERNING
2354 MEDICAL MALPRACTICE CLAIMS

SEN. ADHERED
ONT P

Sponsor: TWITCHELL
Committee Report: New Draft of LD 1945.

SUMMARY: The original bill, LD 1945, sought to establish a pretrial screening panel for medical malpractice actions, establish qualifications for expert witnesses in medical malpractice actions, establish limits on pain and suffering damages in these actions, establish a contingent fee schedule for plaintiffs' attorneys in medical malpractice actions, eliminate special proofs required in a malicious prosecution action stemming from an unsuccessful medical malpractice action, and deny punitive damages in medical malpractice actions.

LD 2354 sought to provide for a cap of \$250,000 on damages for pain and suffering in medical malpractice actions, and to establish a fee schedule for attorneys contingent fees in medical malpractice actions.