

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY

MAY 1994

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ONE HUNDRED AND SIXTEENTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES

MAY 1994

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

ONTP

INDEF PP

FAILED ENACTMENT

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Ought Not to Pass report accepted

Bill Indefinitely Postponed

Bill failed to get majority vote

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference unable to agree; bill died

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

Joint Standing Committee on Judiciary

LD 116 **An Act to Amend the Maine Health Security Act** ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
MICHAUD ONTP

SUMMARY

The bill would have amended the Maine Health Security Act to make the following changes.

1. The bill would have repealed the entire subchapter on the medical malpractice prelitigation screening panels on October 31, 1994.
2. The bill would have required the Judiciary Committee to study and report by February 1, 1994 on whether medical malpractice screening panels have met the Legislature's original objective.

The bill was carried over from the First Regular Session.

COMMITTEE AMENDMENT "A" (H-592) was the Majority Report. It would have changed the repeal of the screening panels to be effective on October 31, 1995. It also would have deleted the study and report. Not adopted.

The bill was recommitted to Committee, and then reported out unanimously Ought Not To Pass.

LD 120 **An Act to Cover Employees of the Maine National Guard under
the Maine Human Rights Act and the Whistleblowers'
Protection Act** ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
FARNSWORTH ONTP

SUMMARY

This bill would have extended the protections and rights under the Whistleblowers' Protection Act and the Maine Human Rights Act to members of the Maine Army National Guard and the Maine Air National Guard.

The bill was carried over from the First Regular Session.

LD 293 **An Act Regarding Wrongful Death Actions** ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
FARNSWORTH ONTP

SUMMARY

The bill would have amended the current law regarding wrongful death actions to allow award of full and fair compensation for the loss suffered as the result of wrongful acts that result in the death of a person. It would have prevented a defendant from receiving an advantage because the person dies rather than lives as the result of a wrongful act.

In addition, the bill would have provided a limitation period for an action for wrongful death consistent with the 6-year statute of limitations for other civil actions in the State.