

# MAINE STATE LEGISLATURE

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R. OF S.

L.D. 851

(Filing No. S- 36 )

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STATE OF MAINE  
SENATE  
115TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A " to S.P. 313, L.D. 851, Bill, "An Act to Modify the Law Relating to Continuing Deliberation by a Civil Jury in the Face of Disagreement"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

·14 MRSA §1106, is amended to read:

§1106. Disagreement by jury; instructions

When a jury, not having agreed, returns into court stating the fact, the presiding justice may, in his the exercise of judicial discretion, explain any questions of law if proposed to him or restate any particular testimony and send them out again for further consideration. ~~They shall not be sent out a 3rd time in consequence of their disagreement unless on account of difficulties not stated when they first came into court.~~

FISCAL NOTE

This bill places the decision to abort a civil jury trial with the trial justice. This could result in minor savings to the court system if the costs associated with a retrial are greater than the costs of a trial continuing due to continued deliberations by a jury.'

STATEMENT OF FACT

This amendment makes technical corrections while retaining the bill's objective of relying on the trial justice's discretion for appropriate limits on jury deliberations.

The amendment also adds a fiscal note.

Reported by Senator Gauvreau for the Committee on Judiciary.  
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(4/1/91) (Filing No. S-36)

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