

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON
JUDICIARY
BILL SUMMARY



MAY 1986

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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
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

LD
2056

AN ACT TO AMEND THE CRIMINAL CODE TO REDEFINE
VICTIM

LVWD

Sponsor: KANE
Committee Report: LVWD

SUMMARY: This bill sought to redefine "victim" in the Criminal Code provision making tampering with a witness, informant, or victim a crime. The concurrent definition of "victim" requires a victim to have suffered bodily injury, death, or economic loss. This definition does not permit the Class B crime of tampering with a victim be charged where the tampering involves the victim of, for example, an attempted crime or other crime where no bodily injury occurs and no property is taken. These victims, could, however, be included in many cases under the Class C crime of tampering with a witness.

LD
2065

AN ACT TO EXPEDITE THE RESOLUTION OF
PROFESSIONAL NEGLIGENCE CLAIMS, TO AMEND
SELECTIVE PROVISIONS OF THE MAINE HEALTH
SECURITY ACT AND TO ABOLISH THE DISCOVERY RULE
IN CLAIMS AGAINST HEALTH CARE PRACTITIONERS,
HEALTH PROVIDERS AND ATTORNEYS

ND LD 2400

Sponsor: PRAY, Kane, Gill, Hayden
Committee Report: OTP-ND-NT, ONTP

SUMMARY: See New Draft, LD 2400.

LD
2069

AN ACT TO PERMIT A GUILTY BUT MENTALLY ILL
VERDICT IN A CRIMINAL CASE

LVWD

Sponsor: Minority of Insanity Defense and Related Statutes
and Procedures Study Subcommittee
Committee Report: LVWD

SUMMARY: LD 2069 resulted from a minority report contained in the final report of the Insanity Defense and Related Statutes and Procedures Study Subcommittee of the Judiciary Committee.

The bill sought to permit criminal defendants who raise an insanity defense to be found guilty, guilty but suffering from mental disease or defect, or not criminally responsible by reason of insanity. An offender found guilty but suffering from mental disease or defect would have been sentenced as any criminal defendant found simply guilty. If the sentence included probation with a condition of receipt of psychiatric treatment, the