

# 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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ONE HUNDRED AND TWELFTH LEGISLATURE  
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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

2. Producing, presenting, directing, or participating in an obscene performance (Class D crime); and

3. Wholesale promoting, or possessing with intent to wholesale promote, obscene, material or an obscene device (Class C crime).

Under LD 2092, possession of six or more obscene articles or devices creates a presumption of possession with intent to promote.

**LD 2108** AN ACT TO AMEND THE INSANITY DEFENSE AND CERTAIN PROCEDURES RELATING TO COMMITTED INSANITY ACQUITTEES ND LD 2397

Sponsor: Insanity Defense and Related Statutes and Procedures Study Subcommittee  
Committee Report: OTP-ND

SUMMARY: See New Draft, LD 2397.

**LD 2109** AN ACT CONCERNING MEDICAL MALPRACTICE INSURANCE LVWD

Sponsor: BONNEY, Brown, A., Perkins  
Committee Report: LVWD

SUMMARY: LD 2109 addressed medical malpractice actions. It sought to provide for limitations on contingency fees and to establish a pretrial screening panel to judge liability and render opinions on award amounts. Under the bill, physicians would no longer have been required to prove special damages if they filed a countersuit, and plaintiffs could not file for punitive damages. In addition, individuals who made untrue allegations without reasonable cause would have had to pay the defendant's attorneys' fees. Finally, the bill gave the court the authority to consider the plaintiff's other sources of compensation in determining the award amount.

2109 was withdrawn because medical malpractice concerns were dealt with in two other bills before the Judiciary Committee.