

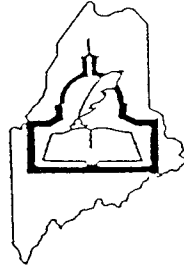
# MAINE STATE LEGISLATURE

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  
114TH LEGISLATURE  
SECOND REGULAR SESSION



BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
JUDICIARY  
JUNE 1990

**Staff:**

Margaret J. Reinsch, Legislative Analyst  
Todd R. Burrowes, Legislative Analyst

Office of Policy and Legal Analysis  
Room 101, State House Station 13  
Augusta, ME 04333  
(207) 289-1670

**MEMBERS:**

\*Sen. Barry J. Hobbins  
Sen. N. Paul Gauthreau  
Sen. Muriel D. Holloway

\*Rep. Patrick E. Paradis  
Rep. Constance D. Cote  
Rep. Gerard P. Conley, Jr.  
Rep. Patricia M. Stevens  
Rep. Cushman D. Anthony  
Rep. Susan Farnsworth  
Rep. Mary H. McBride  
Rep. Dana C. Hanley  
Rep. Peter G. Hastings  
Rep. John H. Richards

\*Denotes Chair

MARTHA E. FREEMAN, DIRECTOR  
WILLIAM T. GLIDDEN, PRINCIPAL ANALYST  
JULIE S. JONES, PRINCIPAL ANALYST  
DAVID C. ELLIOTT, PRINCIPAL ANALYST  
GILBERT W. BREWER  
TODD R. BURROWES  
GRO FLATEBO  
DEBORAH C. FRIEDMAN  
JOHN B. KNOX



STATE OF MAINE  
OFFICE OF POLICY AND LEGAL ANALYSIS  
ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL.: (207) 289-1670

PATRICK NORTON  
HARTLEY PALLESCHI  
MARGARET J. REINSCH  
PAUL J. SAUCIER  
JOHN R. SELSER  
HAVEN WHITESIDE  
JILL IPPOLITI, RES. ASST.  
BARBARA A. MCGINN, RES. ASST.  
BRET A. PRESTON, RES. ASST.

**One Hundred and Fourteenth Legislature  
Second Regular Session**

**Joint Standing Committee  
Bill Summaries**

**June 1990**

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 summaries are arranged by LD number for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. Committee Reports and Floor Action are abbreviated as follows:

OTP  
OTP-ND  
OTP-ND-NT  
OTP-A  
ONTP  
LVWD  
INDEF PP

Ought to Pass  
Ought to Pass in New Draft  
Ought to Pass in New Draft, New Title  
Ought to Pass as Amended  
Ought Not to Pass  
Leave to Withdraw  
Indefinitely Postponed

Each individual summary was prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

**LD 1064**      **An Act Concerning Jurisdiction over Contested Termination of Parental Rights Proceedings**      **LV/WD**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
CONLEY	LV/WD	

**SUMMARY**

The bill removed the Probate Court's jurisdiction over contested petitions for the termination of parental rights. (Carried over from the First Regular Session.)

**LD 1075**      **An Act to Prevent Double Recoveries in Medical Liability Actions**      **LV/WD**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
TWITCHELL	LV/WD	
KANY		
WALKER		
JACKSON		

**SUMMARY**

The bill allowed evidence of collateral source payments to be admitted into medical malpractice cases, but left up to the jury what effect the payments would have on the award. (Carried over from the First Regular Session with the other medical malpractice bills.)

**LD 1150**      **An Act to Strengthen the State Forensic Service**      **PUBLIC 621**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
PARADIS P	OTP-AM	H-744
PRIEST		H-747    TAMMARO
PINEAU		

**SUMMARY**

The original bill required the State Forensic Service to do all examinations, added additional mental and emotional conditions permitting examination and made several other clarifications regarding the State Forensic Service. (Carried over from the First Regular Session.)

Committee Amendment "A" (H-744) amends the bill to allow independent psychiatrists and licensed clinical psychologists to perform examinations, allow examiners to report if a defendant can be competent to stand trial, retain current law regarding examination of juveniles, and provide for a professional education program for examiners.