

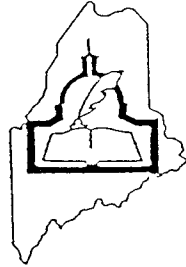
MAINE STATE LEGISLATURE

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STATE OF MAINE
114TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
JUDICIARY

JUNE 1990

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**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 1151 **An Act to Amend the Common Law Collateral Source Rule in Medical Professional Liability Cases** **LV/WD**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
TWITCHELL MACBRIDE NUTTING HOLLOWAY	LV/WD	

SUMMARY

The bill required a judge, after the verdict in medical malpractice cases, to automatically decrease the award by the amount of any collateral source payments. (Carried over from the First Regular Session with the other medical malpractice bills.)

See LD 2513

LD 1248 **An Act to Encourage the Continuation of Obstetrical Services in the Medicaid Program** **LV/WD**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
RANDALL	LV/WD	

SUMMARY

The bill extended the Maine Tort Claims Act to physicians providing obstetrical services to Medicaid patients. (Carried over from the First Regular Session with the other medical malpractice bills.)

LD 1387 **An Act to Increase the Priority of Wage Claims Against Insolvent Employers** **LV/WD**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PRIEST CONLEY MCHENRY MATTHEWS	LV/WD	

SUMMARY

The bill would create a lien on the property of any employer for wages owed employees when the employer goes out of business. (Carried over from the First Regular Session.)

LD 1390 **An Act to Ensure that Child Support Payments Benefit the Family** **PUBLIC 711**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ALLEN GAUVREAU FARNSWORTH CONLEY	OTP-AM	H-847

SUMMARY

The original bill established a child support guideline designed to ensure that a parent contributes a stable percentage of income to the support of a dependent child. The bill revised existing provisions concerning the creation of a debt to the Department of Human Services for public assistance payments made

by the department for a dependent child and modified department hearing and collection procedures. The bill established a regular review procedure. (Carried over from the First Regular Session.)

Committee Amendment "A" (H-847) replaced the bill. It provides that responsible parents who have defaulted upon an initial notice of debt for child support may petition the Department of Human Services to vacate the decision of debt for good cause within one year of the decision.

LD 1436 An Act to Amend the Laws Relating to Offers of Judgment LV/WD

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
HANLEY	LV/WD	
MARSANO		
HOBBINS		
STEVENS P		

SUMMARY

The bill gave all parties in civil lawsuits the right to offer to terminate litigation by offering a specified judgment, in effect changing Rule 68 of the Maine Rules of Civil Procedure. (Carried over from the First Regular Session.)

The Civil Rules Advisory Committee recommended against adoption of the change in Rule 68. The Justices of the Supreme Judicial Court chose not to make the change.

LD 1466 An Act to Waive Restrictions on Certain Physicians LV/WD

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GILL	LV/WD	

SUMMARY

The bill extended immunity provisions to retired physicians who voluntarily provide medical services. (Carried over from the First Regular Session with the other medical malpractice bills.)

LD 1512 An Act to Reform the Juvenile Criminal Justice System PUBLIC 744
(Reported Pursuant to Resolves of 1987, Chapter 68)

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
	OTP-AM	H-893 PARADIS P S-479

SUMMARY

The bill incorporated the changes to the Juvenile Code recommended by the Juvenile Corrections Planning Commission. (Carried over from the First Regular Session.)

Committee Amendment "A" (S-479) struck many sections from the bill. As amended, the bill covers diagnostic evaluations, intensive staff supervision of juveniles, transfer of juveniles and the determination if the juvenile poses any danger, extensions for petitions only for good cause shown and sealing of juvenile records from the public.

House Amendment "A" to Committee Amendment "A" (H-772) eliminated the serving of "shock sentences" in county jails. (Not adopted)

House Amendment "B" to Committee Amendment "A" (H-893) clarifies the procedure and grounds for sealing records.