### MAINE STATE LEGISLATURE

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# State Of Maine 121st Legislature

### First Regular Session

**Bill Summaries** 

Joint Standing Committee on Judiciary

July 2003

### Members:

Sen. Peggy A. Pendleton, Chair Sen. Mary R. Cathcart Sen. Chandler E. Woodcock

Rep. William S. Norbert, Chair Rep. Thomas D. Bull Rep. Deborah L. Simpson Rep. Stan Gerzofsky Rep. Philip R. Bennett, Jr. Rep. Janet T. Mills Rep. Roger L. Sherman Rep. Roderick W. Carr Rep. Brian M. Duprey Rep. Joan Bryant-Deschenes Rep. Donna M. Loring

### Staff:

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### Maine State Legislature



# Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

## 121st Maine Legislature First Regular Session

#### Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, <u>History and Final Disposition of Legislative Documents</u>, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CARRIED OVER PURSUANT TO HP 1212	Bills carried over to the 2 <sup>nd</sup> Regular Session
CON RES XXX	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE	
DIED BETWEEN BODIES	
DIED IN CONCURRENCEOne bo	dy accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT	Action incomplete when session ended; bill died
EMERGENCY	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE	Bill failed to get majority vote
FAILED MANDATE ENACTMENT	Bill failed to get majority voteBill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY	
INDEF PP	Bill Indefinitely Postponed
ONTP	Ought Not To Pass report accepted
OTP-ND	
P&S XXX	
PASSED	Joint Order passed in both bodies
PUBLIC XXX	
RESOLVE XXX	
UNSIGNED	Bill held by Governor
VETO SUSTAINED	Legislature failed to override Governor's Veto

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

### Joint Standing Committee on Judiciary

interest in the outcome of the study. The study committee is required to issue a report to the Joint Standing Committee on Judiciary, including findings and recommendations, by December 3, 2003.

LD 1097

An Act To Release the Records of the Attorney General and the Maine State Police Regarding the Investigation, Prosecution and Trial of Dennis Dechaine P & S 18

Sponsor(s)	Committee Report	Amendments Adopted
MARTIN	OTP	
PARADIS		

LD 1097 proposed to exempt certain intelligence and investigative records of the Department of the Attorney General from the operation of Public Law, 1993, chapter 719, section 11 that declared all such records to be confidential. Instead, those records pertaining the unlawful homicide of Sarah Cherry in Bowdoin would become subject to the Maine Revised Statutes, Title 16, section 614, which applies to intelligence and investigative records after July 1, 1995.

#### **Enacted Law Summary**

Private and Special Law 2003, chapter 18 exempts certain intelligence and investigative records of the Department of the Attorney General from the operation of Public Law, 1993, chapter 719, section 11 that declared all such records to be confidential. Instead, those records pertaining the unlawful homicide of Sarah Cherry in Bowdoin become subject to the Maine Revised Statutes, Title 16, section 614, which applies to intelligence and investigative records after July 1, 1995.

LD 1101

### An Act To Establish and Enforce Abortion Facility Safety Requirements

**ONTP** 

Sponsor(s)	Committee Report		Amendments Adopted
CRESSEY	ONTP	MAJ	
SHOREY	OTP-AM	MIN	

LD 1101 proposed to require the Department of Human Services to adopt rules providing for the licensing and inspection of surgical facilities and the health and safety of the patients and employees of surgical facilities in which 50% or more of the patients annually served undergo abortions. The bill proposed that the rules be consistent with the most recent United States Supreme Court decisions regarding state regulation of abortions.

**Committee Amendment "A" (H-434)** was the minority report of the Joint Standing Committee on Judiciary. It proposed to add an appropriations and allocations section. (Not adopted)