

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

Kennebec Journal
Augusta, Maine
1979

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2. **Employee right to review.** The municipal officer shall, on written request from an employee or former employee, provide the employee, former employee or his duly authorized representative with an opportunity to review his personnel file, if the municipal officer has a personnel file for that employee. These reviews shall take place at the location where the personnel files are maintained and during normal office hours. For the purposes of this subsection, a personnel file shall include, but not be limited to, any formal or informal employee evaluations and reports relating to the employee's character, credit, work habits, compensation and benefits which the municipal officer has in his possession. The records described in subsection 1, paragraph B, may also be examined by the employee to whom they relate, as provided in this subsection.

Effective September 14, 1979

CHAPTER 404

H. P. 912 — L. D. 1120

AN ACT Concerning the Adoption of Management Plans by the Commissioner of Marine Resources.

Be it enacted by the People of the State of Maine, as follows:

12 MRSA § 6171, sub-§ 2-A is enacted to read:

2-A. **Management plans.** The commissioner may only adopt a management plan or other policy on the conservation or regulation of marine organisms after prior notice and public hearing and with the advice and consent of the advisory council.

Effective September 14, 1979

CHAPTER 405

H. P. 1394 — L. D. 1612

AN ACT Relating to Abortions.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 17 MRSA § 51 is repealed.

Sec. 2. 22 MRSA § 1598 is enacted to read:

§ 1598. **Abortions**

1. **Policy.** It is the public policy of the State that an abortion after viability is to be performed only when it is necessary to preserve the life or health of the mother. It is also the public policy that all abortions may only be performed by a physician.

2. **Definitions.** As used in this section, unless the context otherwise indicates, the following terms shall have the following meanings.

A. "Abortion" means the intentional interruption of a pregnancy by the application of external agents, whether chemical or physical or by the ingestion of chemical agents with an intention other than to produce a live birth or to remove a dead fetus.

B. "Viability" means the state of fetal development when the life of the fetus may be continued indefinitely outside the womb by natural or artificial life-supportive systems.

3. **Persons who may perform abortions; penalties.**

A. Only a person licensed under Title 32, chapter 36 or chapter 48, to practice medicine in Maine as a medical or osteopathic physician, may perform an abortion on another person.

B. Any person not so licensed who knowingly performs an abortion on another person or any person who knowingly assists a nonlicensed person to perform an abortion on another person is guilty of a Class C crime.

4. **Abortions after viability; criminal liability.** A person who performs an abortion after viability is guilty of a Class D crime if:

A. He knowingly disregarded the viability of the fetus; and

B. He knew that the abortion was not necessary for the preservation of the life or health of the mother.

Effective September 14, 1979

CHAPTER 406

H. P. 843 — L. D. 1045

AN ACT to Provide Fiscal Impact Statements.

Be it enacted by the People of the State of Maine, as follows:

3 MRSA § 167, sub-§ 5 is enacted to read: