

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND FIFTEENTH LEGISLATURE

**THIRD SPECIAL SESSION**

October 1, 1992 to October 6, 1992

**FOURTH SPECIAL SESSION**

October 16, 1992

ONE HUNDRED AND SIXTEENTH LEGISLATURE

**FIRST REGULAR SESSION**

December 2, 1992 to July 14, 1993

THE GENERAL EFFECTIVE DATE FOR

FIRST REGULAR SESSION

NON-EMERGENCY LAWS IS

OCTOBER 13, 1993

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Company  
Augusta, Maine  
1993

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**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED AT THE**  
**FIRST REGULAR SESSION**

**of the**  
**ONE HUNDRED AND SIXTEENTH LEGISLATURE**

**1993**

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**CHAPTER 61****S.P. 117 - L.D. 318****An Act to Protect Reproductive Privacy in Maine****Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 22 MRSA §1597**, as enacted by PL 1979, c. 413, is repealed.

**Sec. 2. 22 MRSA §1598, sub-§1**, as enacted by PL 1979, c. 405, §2, is amended to read:

**1. Policy.** It is the public policy of the State that an abortion after the State not restrict a woman's exercise of her private decision to terminate a pregnancy before viability is to be except as provided in section 1597-A. After viability an abortion may be performed only when it is necessary to preserve the life or health of the mother. It is also the public policy of the State that all abortions may only be performed only by a physician.

**Sec. 3. 22 MRSA §1599**, as reallocated by PL 1979, c. 663, §133, is repealed.

**Sec. 4. 22 MRSA §1599-A** is enacted to read:

**§1599-A. Informed consent to abortion**

**1. Consent by the woman.** A physician may not perform an abortion unless, prior to the performance, the attending physician certifies in writing that the woman gave her informed written consent, freely and without coercion.

**2. Informed consent.** To ensure that the consent for an abortion is truly informed consent, the attending physician shall inform the woman, in a manner that in the physician's professional judgment is not misleading and that will be understood by the patient, of at least the following:

A. According to the physician's best judgment she is pregnant;

B. The number of weeks elapsed from the probable time of the conception;

C. The particular risks associated with her own pregnancy and the abortion technique to be performed; and

D. At the woman's request, alternatives to abortion such as childbirth and adoption and information concerning public and private agencies that will provide the woman with economic and other assistance to carry the fetus to term, including, if

the woman so requests, a list of these agencies and the services available from each.

See title page for effective date.

**CHAPTER 62****H.P. 248 - L.D. 327****An Act to Repeal the Mandatory First-Aid Requirement for Licensed Maine Guides****Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 12 MRSA §7311, sub-§2; ¶C**, as repealed and replaced by PL 1989, c. 913, Pt. B, §4, is amended to read:

C. Be If a first-time applicant for a guide license, be currently certified in first aid through completion of any standard first aid course that meets the criteria established by rule of the commissioner. For purposes of this paragraph, "first-time applicant" means any applicant who has not previously been issued a guide license in this State. Any person, other than a first-time applicant, who applies for a guide license shall submit satisfactory evidence, as determined by the commissioner, of having held a guide license in this State; and

See title page for effective date.

**CHAPTER 63****H.P. 286 - L.D. 373****An Act Regarding Reimbursement for Sand and Salt Storage Facility Construction****Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 23 MRSA §1852**, as enacted by PL 1987, c. 793, Pt. A, §5, is amended by adding at the end 2 new paragraphs to read:

If an owner or operator of a Priority 1 or 2 project under Title 38, section 451-A, subsection 1-A has not completed construction by June 30, 1993, the department shall make any funds committed or otherwise obligated to that project under this section and section 1851 available to any constructed Priority 3 project that is eligible for reimbursement. A project that loses its funding under this paragraph remains eligible for reimbursement at a later date subject to the subsequent availability of funds.

The department may not reimburse a municipality or county under this section or section 1851 for that por-