

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
JUDICIARY
BILL SUMMARY



JULY, 1985

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ONE HUNDRED AND TWELFTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
JULY 1985

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the First Regular Session of the 112th Legislature. The summaries are arranged by LD number and indexed separately by committee.

LD: 379 AN ACT TO CLARIFY THE LAWS RELATING TO
NOTARY PUBLIC

MAYBURY
CHALMERS
STETSON

ONTP HOUSE Accepted Committee Report
SENATE Accepted Committee Report
GOV

SUMMARY:

Sought to clarify certain provisions concerning notaries public and provide clearer guidelines concerning the duties and responsibilities of notaries public, including the requirement of impartiality in performance of notarial acts.

LD: 387 AN ACT TO REQUIRE PARENTAL CONSENT IN THE
CASE OF MINORS' ABORTIONS

CARRIER
BROWN A
STEVENSON
HICHENS

OTP-AM HOUSE Adhered to Eng. with CB
SENATE Adhered to Eng. with CA
GOV

H-408 CA REP A S
H-409 CB REP B H
H-410 CC REP C
S-290 SA/CA BUSTIN

SUMMARY:

Sought to require parental consent or a judicial bypass procedure for unemancipated minors seeking an abortion:

1. Committee Amendment B, patterned after a Missouri statute, would have required an unemancipated minor under the age of 18 to receive the consent of a parent or guardian to her abortion, to be granted the right to self-consent to the abortion by a court, or to receive a court order that an abortion is in the minor's best interests. In a traditional court procedure, though one that would guard the minor's privacy and expedite the hearing, a judge would hear evidence on the minor's petition and determine her maturity or best interests.

2. Committee Amendment A would have required an unmarried minor under the age of 16 to receive the consent of a parent or guardian to her abortion, to be granted the right to self-consent to the abortion by a court, or to receive a court order that an abortion is in the minor's best interests. The determination of the minor's maturity or best interests would have been made by a master, appointed by the court and possessing qualifications as a licensed mental health professional, in a procedure more informal than a traditional court procedure.

An unemancipated minor between the ages of 16 and 18 would have been required to receive special counseling before obtaining an abortion. The counseling would have been provided by licensed mental health professionals. (Minors under the age of 16 years would receive the counseling from the masters.)

3. Committee Amendment C would have required an unemancipated minor under the age of 17 to receive the consent of a parent or guardian to her abortion, to be granted the right to self-consent to the abortion by the court, or to receive a court order that an abortion is in the minor's best interest. The determination of the minor's maturity or best interests would have been made by a master, appointed by the court and possessing qualifications as a licensed mental health professional, in a procedure more informal than a traditional court procedure.

LD: 411 AN ACT TO REPEAL SUNSET PROVISIONS ON CERTAIN CARPENTER
 EMERGENCY AMENDMENTS TO THE LAW REGARDING MEDIATION IN FOSTER
 DOMESTIC RELATIONS CASES SEWALL
 HAYDEN

OTP HOUSE Emerg. Enacted PUBLIC
 SENATE Emerg. Enacted CH # 7
 GOV EMER SIGNED
 S-005 SA CARPENTER H S

SUMMARY:

The Third Special Session of the 111th Legislature amended the mandatory divorce mediation law to allow the court to hear motions, on issues related to child support, parental rights and responsibility and possession of the family residence, prior to reference to mediation if good cause can be shown. These changes were enacted on a trial basis and were scheduled to sunset March 1, 1985. This bill extended the sunset to March 31, 1985.

LD: 421 AN ACT TO AMEND CERTAIN ASPECTS OF CARPENTER
 POST-CONVICTION REVIEW KANE

LU-WD HOUSE Accepted Committee Report
 SENATE Accepted Committee Report
 GOV

SUMMARY:

LD 421 duplicated LD 481 as amended.