

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Judiciary*

*August 2005*

**Members:**

*Sen. Barry J. Hobbins, Chair*

*Sen. Lynn Bromley*

*Sen. David R. Hastings III*

*Rep. Deborah L. Pelletier-Simpson,  
Chair*

*Rep. Sean Faircloth*

*Rep. Stan Gerzofsky*

*Rep. Marilyn E. Canavan*

*Rep. Mark E. Bryant*

*Rep. Michael Edward Dunn*

*Rep. Roger L. Sherman*

*Rep. Roderick W. Carr*

*Rep. Joan Bryant-Deschenes*

*Rep. Joan M. Nass*

*Rep. Donna M. Loring*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 organized by committees 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, 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 ..... Bill Carried Over to Second Regular Session
CON RES XXX..... Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES..... House & Senate disagree; bill died
DIED IN CONCURRENCE..... One body 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 imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
INDEF PP..... Bill Indefinitely Postponed
ONTP..... Ought Not To Pass report accepted
OTP ND..... Committee report Ought To Pass In New Draft
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
PUBLIC XXX..... Chapter # of enacted Public Law
RESOLVE XXX..... Chapter # of finally passed Resolve
UNSIGNED..... Bill held by Governor
VETO SUSTAINED..... Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

## Joint Standing Committee on Judiciary

**LD 1455**                      **An Act To Codify Public Records Exceptions**                      **CARRIED OVER**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1455 proposed to meet the requirements of Public Law 2003, chapter 709, section 9, by listing statutes that by designating records or information as confidential remove the records or information from the definition of "public record" in the freedom of access laws.

This bill was carried over by H.P. 1203 to any special or regular session of the 122<sup>nd</sup> Legislature.

**LD 1474**                      **An Act To Require That Corporations Be Operated in a Manner That Does Not Adversely Affect the Public Interest**                      **ONTP**

<u>Sponsor(s)</u> EDER STRIMLING		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1474 proposed to impose a duty on directors and officers of a corporation formed under the laws of the State to act in a manner that is not injurious to the environment, human rights, public health or safety, the welfare of the communities in which the corporation operates or the dignity of the corporation's employees.

The bill proposed that if 25 other states enact similar legislation and if the consolidated annual revenues of a corporation exceed \$15,000,000, that corporation, its officers and its directors may be held liable for damages resulting from actions that cause damage to the public interest.

**LD 1479**                      **An Act To Ensure Systematic Reporting of Abortions**                      **ONTP**

<u>Sponsor(s)</u> DAVIS P BOWLES		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1479 proposed to require physicians who perform abortions or treat patients in connection with abortions to report annually to the Department of Health and Human Services on forms developed by the department. It also proposed to require physicians who encounter an illness or injury that is related to an induced abortion to complete and submit an induced abortion complication report form to the department. It proposed to require the department to issue annually a public report that provides information compiled from the forms filed with the department.