

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, amendments and laws enacted or finally passed

JOINT STANDING COMMITTEE ON JUDICIARY

July 2013

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STATE OF MAINE

126TH LEGISLATURE

FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE.....Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES.....House & Senate disagreed; legislation died
DIED IN CONCURRENCE.....defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX.....chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 126th Legislature is October 9, 2013. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Judiciary

LD 760 An Act Regarding Informed Consent to an Abortion

**ACCEPTED
MAJORITY
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ESPLING MASON G	ONTP OTP	

Current law requires the attending physician of a woman seeking an abortion to obtain the informed written consent of the woman and requires the provision of specific information, such as the number of weeks elapsed from the time of conception, the risks associated with the abortion and, at the woman's request, alternatives to abortion.

This bill specifies that the information must also be conveyed to the woman orally, removes the requirement that the woman request information about alternatives and requires additional information to be conveyed, including the name of the physician performing the abortion, scientifically accurate information about the fetus and the father's liability for support.

House Amendment "A" (H-469)

This amendment requires a physician to inform a pregnant woman of an undeniable right to see an ultrasound if an ultrasound was taken and removes from the bill all other changes to current law.

This amendment was not adopted.

Senate Amendment "A" (S-275)

This amendment requires a physician to inform a pregnant woman of an undeniable right to see an ultrasound if an ultrasound was taken and removes from the bill all other changes to current law.

This amendment was not adopted.

LD 777 An Act To Protect Working Mothers Who Breast-feed

**VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRAHAM GRATWICK	OTP OTP-AM	

This bill provides that it is unlawful employment discrimination under the Maine Human Rights Act for an employer to fail to provide certain workplace accommodations for an employee with a nursing child.

Committee Amendment "A" (H-295)

This amendment replaces the bill and is the minority report of the Joint Standing Committee on Judiciary. The amendment increases the penalty for an employer who fails to comply with current law requiring the employer to provide a time and place for an employee who is a nursing mother to express breast milk. It increases the minimum and maximum fines for violating certain employment practices and for discharging or discriminating from \$100 to \$300 and from \$500 to \$1,000. It also updates language concerning fines for civil violations.

This amendment was not adopted.