

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Sixth
Legislature*

OF THE

STATE OF MAINE

Volume III

June 6, 1973 to July 3, 1973

Index

KENNEBEC JOURNAL
AUGUSTA, MAINE

House insisted on June 7 whereby they passed the bill to be engrossed as amended by House Amendment "B" (H-478) on May 31.

Came from the Senate with that body insisting on its action whereby the Bill was passed to be engrossed as amended by House Amendment "B" (H-478) and Senate Amendment "A" (S-215) and asking for a Committee of Conference.

In the House: On motion of Mr. Martin of Eagle Lake, the House voted to insist and join in a Committee of Conference.

The Speaker appointed the following conferees on the part of the House:

Messrs. MARTIN of Eagle Lake
ROLDE of York
HERRICK of Harmony

Non-Concurrent Matter

Bill "An Act to Provide Protection of Fetal Life and the Rights of Physicians, Nurses, Hospitals and Others Relating to Abortions" (H. P. 1559) (L. D. 1992) which the House passed to be engrossed as amended by House Amendment "A" (H-493) on June 5.

Came from the Senate with House Amendment "A" indefinitely postponed and the Bill passed to be engrossed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mr. Huber.

Mr. HUBER: Mr. Speaker, I move that we recede and concur with the Senate and would like to speak to my motion.

The SPEAKER: The gentleman from Falmouth, Mr. Huber, moves the House recede and concur.

The gentleman may proceed.

Mr. HUBER: Mr. Speaker, Ladies and Gentlemen of the House: I am somewhat sorry to see this item before us again so quickly without my bill having been reported out of committee. As you know, I think these two bills would go together, which was the purpose of my action earlier. This regret is partly caused by a statement by the chairman of the Judiciary Committee on Wednesday,

in which he said, "We do have a bill in committee which is coming out shortly, either tomorrow or Friday, which is the deadline anyway, but it will probably be coming out tomorrow." Well, as I am sure you aware, it hasn't come out.

I am sure you are all now aware that L. D. 1992 provides protection for hospitals, doctors and nurses, as well as some limited protection of the patients. It does not regulate abortion nor protect the mother, nor does it protect potential life as allowed by the Supreme Court decision. It also seems somewhat unjust that those who refuse to perform abortions are protected, where those who perform legal abortions are not protected against discrimination.

Briefly, passage of L. D. 1992 alone would allow abortion on demand in Maine right up to the day of delivery. If we want to protect Maine citizens and potential life to the full extent of making it possible, we will still have to pass a bill with provisions, either the amendment that I proposed to this bill earlier or my bill, 1529, when and if it ever comes out of committee.

I am sure the people of Maine do not want abortion on demand and I am sure that the members of this legislature realize this. Therefore, I am confident that you will regulate abortion as strictly as possible by passing the provisions again either in the amendment or my bill when this bill eventually appears.

I hope you will support the motion to recede and concur, with full realization that with passage of this bill, L. D. 1992, alone, we will still have abortion on demand.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: We who favor carefully supervised abortions are in favor of the provision of this particular bill. Primarily, it is a combination of bills submitted by Representatives Jalbert and Representative Berube. As I recall, there were no opponents at the hearing, the only

trouble is, these bills, even when put together, don't go far enough to comply with the ruling of the Supreme Court. The bill by Mr. Huber complied as close as possible with this ruling. House Amendment "A" which we passed included the provision of all of the bills. This one before us today does only one half the job. The Judiciary Committee, as Mr. Huber said, is holding his bill. Sooner or later it will be reported out, then unfortunately we must debate the subject again.

Our present abortion law has been declared unconstitutional. And if we eventually don't accept the concept of Mr. Huber's bill, I will bet that the changes in this bill will not make it constitutional either.

I repeat, we pay for these changes, but we request that you give careful consideration to the major bill when it finally appears on our calendar. For this reason only, I support without enthusiasm the motion to recede and concur.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: I know that if we support the motion to recede and concur and pass this bill finally, that when the measure called the Huber bill comes before us, we will have a nice healthy debate on the issue.

Thereupon, the House voted to recede and concur.

Non-Concurrent Matter

Bill "An Act Relating to Property Tax Administration" (H. P. 1563) (L. D. 1997) which the House passed to be engrossed on June 5.

Came from the Senate with the Bill passed to be engrossed as amended by Senate Amendment "A" (S-220) in non-concurrence.

In the House: On motion of Mr. Susi of Pittsfield, the House voted to recede and concur.

Orders

Mr. Farnham presented the following Joint Order and moved its passage:

WHEREAS, the net profit to the State from the sale of beer, liquor and wine is estimated at 19 million, 155 thousand dollars for the coming year; and

WHEREAS, there are certain costs of the liquor business to the State of Maine including, but not limited to, liquor associated auto accidents, homicides, broken homes, welfare, crimes, court and prison cases; and

WHEREAS, identification and assessment of the benefits of the liquor business to the State of Maine including, but not limited to, tax revenues, employment and commerce, is needed and generally considered long overdue; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Research Committee is authorized and instructed to study the costs of the liquor business to the State of Maine including, but not limited to, liquor - associated welfare, crimes, auto accidents, homicides, court cases, broken homes, prison and jail cases. Such study shall also include a study of the benefits of the liquor business to the State of Maine including, but not limited to, tax revenues, employment and commerce, and the study of any subject or matter adjudged by the committee to be relevant or germane to the subjects of its investigation or helpful to it in the consummation of its work shall be deemed within the scope of the committee's inquiry hereunder; and be it further

ORDERED, that the State Liquor Commission be authorized and respectfully requested to provide such information, technical advice and such other needed assistance as the committee deems necessary to carry out the purposes of this Order; and be it further

ORDERED, that the committee shall make a written report of its findings and recommendations, together with all necessary legislation, and at its discretion submit the same to the next regular session of the Legislature; and be it further.

ORDERED, upon passage in concurrence, that copy of this Joint Order be transmitted forthwith to