LEGISLATIVE RECORD

OF THE

One Hundred And Fourteenth Legislature

OF THE

State Of Maine

VOLUME I

FIRST REGULAR SESSION

December 7, 1988 to May 10, 1989

Committee Amendment "A" (H-139) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

The Committee on JUDICIARY on Bill "An Act to Facilitate Treatment of Abused and Neglected Children"

H.P. 745 L.D. 1028

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-138).

Comes from the House, with the Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-138).

Which Report was READ and ACCEPTED, in concurrence.

The Bill READ ONCE.

Committee Amendment "A" (H-138) READ and ADOPTED, in concurrence.

The Bill as Amended, TOMORROW ASSIGNED FOR SECOND READING.

Divided Report

The Majority of the Committee on JUDICIARY on Bill "An Act to Require Parental Consent to a Minor's Abortion"

H.P. 457 L.D. 622

Reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-127).

Signed:

Senators:

HOBBINS of York
GAUVREAU of Androscoggin
HOLLOWAY of Lincoln

Representatives:

CONLEY of Portland
ANTHONY of South Portland
HASTINGS of Fryeburg
HANLEY of Paris
RICHARDS of Hampden
FARNSWORTH of Hallowell
COTE of Auburn
MACBRIDE of Presque Isle
STEVENS of Bangor

The Minority of the same Committee on the same subject reported that the same Ought to Pass as Amended by Committee Amendment "B" (H-128).

Signed:

Representative:

PARADIS of Augusta

Comes from the House the Majority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-127).

Which Reports were READ.

Senator HOBBINS of York moved to ACCEPT the Majority OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-127) Report, in concurrence.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Hobbins.

Senator HOBBINS: Thank you Mr. President (Mr. Speaker). Mr. President, men and women of the Senate. As you can see, my memory is bringing me back to the days in the other Body in which I dealt with this particular issue. This issue is one that grips all of us as individuals. It grips us and tears at us as members of a society. It is an issue that has been dealt with not only in this century, but in centuries ago. It is an issue that tears at most of us in many ways. This issue tore at all of us on the Judiciary Committee. It is one that we did not take lightly. As you can see from the Committee Report, twelve members of the Judiciary Committee went through a very tiring process. The decision of the majority of the Committee was made only hours and hours after legal research, of discussion by all members of the Committee, after consultation with members of the legal profession, with clergy, and with family members. I am proud of the Judiciary Committee. This group took its task very seriously and the Amendment that resulted deserves more consideration than the unfortunate attacks that have been laid upon it by those who support the original Bill.

This Amendment was an attempt, by the Judiciary Committee, to establish standards for informed consent to an abortion, which insure that all pregnant minors receive at least a minimal amount of information and counseling to aid them in their decision-making process.

I am sure that all of you if you put out a questionnaire on this issue and you ask the question straightforwardly, "should a minor teen, who becomes pregnant, in order to have an abortion have her parents consent?" In theory, I am sure all of you would say yes, but unfortunately, that is not the reality of the times. A straight question, such as that, has been held by the United States Constitution to be unconstitutional, it has been held by other state courts. The Bill, in its original form, did meet those constitutional standards because it provided for, what is known as, the judicial bypass. What the Supreme Court of the United States has said is that parental consent or a law with parental consent is constitutional if there is a safety valve or a bypass using the courts as a means so that a pregnant teen may obtain an abortion. Obviously, the original Bill does just that.

What the original Bill failed to do was address the overriding issues regarding that pregnant teen. What about those teens who are pregnant who cannot communicate with their parents? What about the issues of setting up guidelines and standards so that those young pregnant teens will discuss, in their decision-making process, other alternatives besides the decision to either terminate their pregnancy, have an abortion, or keep their child? What the amended version of this Bill and the report that I urge you to accept does is that it establishes standards and guidelines, it goes far greater from the present status quo. It provides greater protection to minors than that in the current law.

Essentially, the amendment provides that before a minor can obtain an abortion in this state, she must receive counseling from a physician and or a counselor. This goes way beyond what the current law is, which is merely written informed consent.

This Bill, in the amended form, has been called a pro-abortion Bill, you have heard the accusations, I have received the telephone calls and hundreds of letters as a member of the Committee. The people, in their sincerity, who telephoned me and who wrote to me are gravely concerned about the issue, but they are misinformed about what we are talking about today. The Judiciary Committee felt very strongly that we had to face the issue this session, we had to change the status quo in some way positive. If you look at the Committee Report you will see, as the good gentleman from the Committee, Representative Hastings said, "that we come to the Committee with a rainbow of ideas." Yes, our Committee found a common ground. We were very fortunate to have listened and discussed the matter between ourselves, because we did find common ground on this issue. The amended version is supported by members of our Committee of the Catholic faith and to be quite frank with you, as

a practicing Catholic, I resent the implication that we, on the Committee, have acted irresponsibly or without regards to the rights and interests of parents, children, and the family, as has been accused by the Diocese and their letters to this Body and to the other Body.

Our Committee is also made up of strong believers in the issue of anti-abortion philosophy. Three of the members of the Committee have that position and a very strong position and to say that those three members are pro-abortion is absurd. The Committee Amendment before you stresses objectivity on the part of the physician and the counselor and is clearly designed to make sure that the pregnant minor is presented with all the options. We have worded the language in the amendment, after careful consideration of the constitutional issues, not to be persuasive language, but to be informational language. Before the Committee voted on this Bill, the Committee studied the numerous court cases that have addressed the issue of abortion. We believe, the twelve members of our thirteen member Committee which includes seven lawyers and two law students, that the Bill before you in its amended form is Constitutional. We would not, as those who have taken an oath of office and those of us who have taken an oath by the Supreme Court to uphold the laws, support a Bill that was blatantly unconstitutional, as the proponents of the original Bill claim.

This issue, more than any other issue in my thirteen years of the Maine Legislature, has probably taken its toll on me both physically and emotionally. I suppose that maybe my four years away from the Legislature had made me more thin skinned than I was when I served by first twelve years in the Legislature and that is probably a true account of my situation. My situation has changed a little since I returned to this Body from my pass service, because I know personally the pain that many of those who support the original version of the Bill feel regarding the issue of abortion. I also know the pain that those feel who support the amended version as the Majority Report is outlined. All of us personally have to deal with the issue of abortion, the issue of balancing the rights of society, the issue of privacy for a woman, the issue of reproductive freedom.

I think about it a lot, I think about it some nights when I go in and I tuck my two children in and I think about the choices that their birth mother made not to terminate a pregnancy, but that was their choice. I am glad they made that choice, but that was their choice. It is not changed my opinion regarding this particular Bill.

The Judiciary Committee was responsible. We have addressed the issue in a very positive manner. It won't go away. As you know, the United States Supreme Court, on the 28th of April, heard oral arguments regarding a case that could reverse the decision of Roe versus Wade. This issue will never go away, but I say the time has come to act responsible, to change the status quo in a positive way to insure that before a young woman, pregnant teen, makes that decision to have an abortion that her decision will be informed. That she will look at all the alternatives, but her decision will be informed. Thank you.

On motion by Senator HOBBINS of York, supported by a Division of at least one-fifth of the Members present and voting, a Roll Call was ordered.

THE PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Pearson.

Senator PEARSON: Thank you Mr. President. Mr. President, men and women of the Senate. This is an issue that is extremely emotional and causes a lot of deep feelings on both sides. I would like to say, without debating the merits or demerits of this particular Bill, that I find myself on the other side of the question from the good Senator from York, Senator Hobbins.

Having said that, I would like to say that I deeply regret the attacks that have been made upon him as an individual in the pursuit of this particular debate. I know what kind of a man he is and he has not deserved any of those remarks that have been coming from time to time from different people. I feel very, very sorry about those particular things. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Collins.

Senator COLLINS: Thank you Mr. President. Mr. President, men and women of the Senate. I thank the good Senator from York, Senator Hobbins, for his remarks and I am acutely aware of the effort which that Committee put into its decision-making process on something that is very difficult to analyze. It is very emotional and there are views which are very divergent among our population. However, I am not persuaded by the Committee's Report and I should like to tell you briefly that once in a while when we get out of this hallowed institution and go back into the real world and visit our constituents and talk with them, as I have this past week and the week before, we find that our constituents are very much aware of many of the things we do and they are very concerned about certain issues. In my district, this happens to be one of the issues that they are deeply concerned about. They ask me questions that I have difficulty answering.

The other day, in front of the post office, one of my good constituents said, "I understand there is an amendment to the bill on parental consent and it sort of changes it to a counseling bill." I said, "yes, that is correct, there is some counseling provided as an alternative to the original bill which asks for either parental consent or a judicial bypass." He went on to say, "I understand that a doctor, say an obstetrician, could be a counselor and I understand that most of those are rather supportive of abortions and how can they be objective in their counseling if they have an opinion in that fashion?" I concluded, "that is a good question and I guess perhaps I agree that it would be very difficult to do that." He went on to say, "I am a member of the Catholic Church and I think that most of our priests would have sort of a biased opinion if they were a counselor in this particular case. How do you account for that?" Again, I concluded that I couldn't and it was most difficult for me to make the premise that was "objective counseling". I crossed the street and met another woman who stopped and wanted to talk about the same thing and she said to me a very similar sort of thing, "I am a Protestant and it seems to me that my minister wouldn't be very objective in counseling in that case, as a matter of fact, I know precisely what he would say." Once again, I had to agree because I couldn't make the argument that others have made with respect to objectivity in the counseling procedure. Later that same day, I talked to a younger person, who was rather flip about the thing and he was rather disappointed in the action to date and he said, "I think that laundry list of counselors that they say one could use in this situation, I think they missed somebody." I said, "how is that?" He said, "well I think that a professional ping-pong player ought to

be able to counsel if these other people can too." Well, I realized that it was sort of a flip answer and I didn't respond to it and I said, "the people on that Committee are trying very hard in a very difficult situation, but I understand your concern and I understand why you are unable to accept the premises that they have." He said, "I wonder if that report isn't just a little bit self-serving." Well, I assured him that it wasn't, I said, "the people on that Committee are very honorable people and we have differences of opinion in our society and these people have concluded that this is the appropriate way to resolve the matter." My point here is that there are people in our society and in the State of Maine that do not share the opinion of the majority of that Committee. I am inclined to think that they are, in fact, in the majority.

During the last several months, all of us have seen a great many polls saying this and that and I suspect the pollsters, in their wisdom, are able to phrase questions to achieve the desired results. So, I accept the fact that one must look very carefully at the question and how it is phrased in order to deduce whether the answer is valid or not. I picked up and read a great many of these polls because I have an interest in this subject and I have tried to approach it from a fairly open position. The one that I found in my mind to be the most objective is one that was done by the Boston Globe and WBZ in the early part of this month. Essentially, they posed particular questions to the people who they solicited answers from and they concluded two or three things: They said, "most abortions are opposed. Most Americans approve abortion under certain, specific conditions." Essentially they said that if an abortion is on a teenager, if it is for the purposes of convenience, if it is because the fetus is of the wrong gender, that they opposed abortions.

Last year, I understand, there were about one million and a half abortions in this country. About seven percent of those were performed on women whom the majority of Americans would agree had a reasonable reason to have the abortion. I won't read to you the whole piece, I testified on parts of it at the public hearing and I know you all have had the chance to read these many polls that do exist. I then went to look at another periodical that I thought addressed the subject in a rather interesting way and it was U.S. News and World Report, and it was a little essay on morality and it was entitled, "Baby Boys to Order". Without reading the whole piece to you it essentially said that perhaps the Women's Lobby, who have been active in the pro-choice movement, ought to consider what has happened in recent years. Medical technology increases continually, the viability of a fetus is further reduced and we can determine early on whether the fetus is a man or a women to be. There is substantial evidence that suggests that more female fetus' are aborted than there are male. The article goes on to suggest that perhaps the women's movement might consider that and might consider, for example, that the majority as opposed to males might in due time decrease if we get to the point where we have abortions determined by the sex. I thought that was sort of an interesting piece and I filed that away and I thought perhaps that maybe in the next few years there will be a different feeling about this subject.

That night I was watching the news on television and I was astounded to see a procedure taking place in a California courthouse where a California parent was being held responsible, under the law, for a teenagers actions in disturbing the peace as a part of a gang in the neighborhood. I was reminded that parents generally have to assume the responsibility of their minor children in most everything we can think about. It seems to me that society is very quick to remind us of our duties and to say that your son or your daughter shouldn't have been doing this and what kind of a parent are you, don't you care? Well, I am sure that parents care, we are in a different society now than we were twenty years ago and frequently both parents work and it becomes more difficult to maintain appropriate family relationships.

It seems to me that if we can quickly identify and judge parents for their irresponsibility in a multitude of situations, how does one make the case for not having them involved in a traumatic decision by a child who is pregnant and must decide whether to carry the baby or to have an abortion? I have great difficulty accepting any alternative other than the involvement of the parent. It seems to me that the Bill that was placed before this Legislature offered an alternative to those situations that involved the emancipated woman. It provided the judicial bypass, it provided an opportunity for decision-making in those circumstances where the parents could not be of help. Mr. President and members of this Body, I hope you will reject the present motion and consider the alternative. Thank you Mr. President.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Gauvreau.

Senator GAUVREAU: Thank you Mr. President. Mr. President, men and women of the Senate. I am pleased to rise today in support of the motion of my good colleague the Senator from York, Senator Hobbins, that this Body Accept the Majority twelve to one Report of the Joint Standing Committee on Judiciary. Before I provide an explanation of my rational for supporting the majority position, I would like to echo the remarks of the good Senator from Penobscot, Senator Pearson, praising the work of Senator Hobbins. This has been a very long session for me, I have put in many fifteen and sixteen hour days and I think, as some of us do, that we personally are bearing the brunt of the work and the pressures in the legislative session and I suppose on a few eleven p.m. meetings, I have had that same thought. As I paused to consider what I would say to this Body this morning, over the weekend, the thought occurred to me many times of the demands that were placed upon the good Senator from York, Senator Hobbins, and I sincerely believe that no matter how one feels on this particular issue, one must respect the conscientiousness and the diligence displayed by the Senator in crafting not only a work product which is responsible and advances the legitimate health interests of adolescent teens in our state, but also represents an intelligent and honest harmonization of the truly difficult competing interests before us. I would like publicly at this time to commend my good colleague for the work that he has done. There are times, honestly, when I wonder why I spend long hours in this Body, but on occasions such as this I know why I do.

I believe that today's debate will in all likelihood not change one single vote in this Body, but there clearly is a duty and a responsibility for all of us to explain our positions and the rational which we use in deciding how to vote upon this measure. In approaching this very difficult and sensitive issue, I have applied the following principles. First of all, all of us must honestly and frankly assess the issue before us and present as rational and intelligent a response as we are able to do. Secondly, we must apply and respect the law of

the land, as articulated by the U.S. Supreme Court and by our Maine Supreme Court, on areas pertaining to interpretation of Maine Constitutional law. Third, it is my sincerely held view that although no matter how strongly I personally hold a view I will not, in the course of my public service, crystallize into statute or regulation any requirement that others accede to my personal views. Fourth, I have to what I refer to as the ten year standard. I believe strongly that there is life after the Legislature and my impression has been bolstered as I speak to former colleagues. My ten year rule is as follows: ten years from the day we complete our Legislative service can we look back upon a particular issue or a particular vote and answer only to ourselves, only to that one constituent, when I had an opportunity to address a very challenging, sensitive issue did I act with personal conviction and honesty and did I apply my intellect to the best of my ability. I think those are the four principles which I have applied in coming to this very difficult issue.

It is clear to me from my training that we are operating in an area that affords us somewhat limited discretion. The Supreme Court decisions in Roe versus Wade, Belletti versus Baird, Planned Parenthood versus Ashcroft has clearly set forth that, at present, the federal law of our land guarantees that each female, be she adult or minor, the right to a significant degree of privacy in the decision relating to abortion.

I recognize that various polls might at various times reflect a popular position which is at odds with the teachings of Roe versus Wade and yet the teachings of Marbury versus Madison indicate that we are required under our Constitutional precepts to adhere to the law of the land. I respect the rights of those who would seek to modify or overturn Roe, but as long as Roe is Constitutional law, I am bound and I, in fact, will apply the teachings of Roe in my legislative service. Roe versus Wade very clearly allows a woman, be she adult or a minor, the right to secure an abortion in most circumstances. There are sometimes when the state's interest in protecting the health and welfare of the woman or of the adolescent are paramount primarily those who are in the first trimester. As the good Senator from Aroostook, Senator Collins, has indicated, as medical science advances and as we are able to allow safe and appropriate deliveries earlier in the period of gestation, that first trimester analysis may have to be reviewed.

Belletti versus Baird is the main case along with Planned Parenthood versus Ashcroft in the Maine Supreme Court Case which clearly set forth guidelines, areas where states may and may not tread, in trying to harmonize legitimate state interest in protecting adolescent health in areas of minor abortions, while at the same time vindicating the primary rights of females to have abortions. Belletti set forth four basic criteria. First of all, any statute pertaining to minor abortions or restricting minor abortions must provide an expeditious process for deciding whether the minor may have an abortion, there cannot be a lengthy protracted judicial proceeding. The minor must be allowed to apply directly to a court for determination that she is sufficiently mature to decide whether to have an abortion without parental or judicial consent, the so-called judicial bypass you hear so much about. If the court should decide that the minor is not mature enough to make the abortion decision, the court, even then, may only restrict or refuse to allow the minor to abort if the court finds the minor does not have the consent of her parent for the abortion and the court finds the abortion is not in the minor's best interest.

Now, it strikes me that what the strong majority of the Judiciary Committee did in crafting the so-called compromise language was to vindicate each and every principle I set forth in the Belletti decision, while at the same time advancing in a significant way our mutual concern that we protect the rights of the adolescent teen in her decision on whether or not to abort. It is all too apparent, from the ardor and emotionalism attendant to the debate in these proceedings, that people hold strongly held views that the people whom the state must care most about are the adolescent teens. Those people who do not have the full range of objective information now needed to make a reasonable and honest decision. The Judiciary Committee heard all too often of adults who had decided based upon incomplete information to abort early in life and have now come to regret that decision. The Committee also heard of children who are pressured by parents and who in fact did not use safe health practices in going through the abortion decision and process. So, what we sought to do was to divine a mechanism, an objective mechanism, which would not seek to impose anybody's personal beliefs on whether or not to abort, a mechanism which would allow an adolescent a wide variety of reasonable options so that the person could make a truly intelligent, a truly informed decision. The Committee recognized there were many settings in which that process could occur not only in the office of a physician, but also in a psychologist or psychiatrist office, or a social worker, or an informed clergy person. So we allow a variety of settings in which a pregnant teen may receive objective, disinterested counseling which would consider all the implications of the abortion decision, including the consequences of carrying to term the current situation regarding child support, options available to the child. If the adolescent wants to carry to term, availability of adoption counseling for the child. I must say that having heard the howls of complaint and criticism on both sides of the issue over the last three months, I think now the choice of the majority of the Committee was truly wise. We will allow our adolescent teens to make a truly informed decision, her own decision, not the decision of me, not the decision of a parent, not the decision of someone who might feel militantly that women should be unrestricted to their body and that no abortion should ever occur, or that abortion should be a matter of public right.

It seems to me that is the most sensitive, personal choice in a woman's life. If I understand the teachings of Roe versus Wade and Belletti versus Baird and Planned Parenthood versus Ashcroft, the Supreme Court of the U.S has set a procedure to vindicate that right and as long as we serve under our state and federal Constitution we have an absolute duty to apply that law.

I would just take a moment to address the concerns raised by my good colleague from Aroostook, Senator Collins. First of all, I want to thank Senator Collins for his sincere, heartfelt, and reasonable presentation of this issue to the Judiciary Committee. I find him a person of uncommon intellect and fairness and I respect the way in which he has addressed this issue. With all respect to the Senator, as I listened to his debate this morning, I could not help but feel that at times he addressed in his debate not the limited area where states can regulate in the decision of a minor to abort, or to

have parental consent, but rather the merits of the abortion decision itself.

Given the acute sensitivity of this issue, I fully understand and appreciate why the Senator would get into that area. To reiterate, it is my conviction, based upon my study of the legal principles involved that we do not have that decision to make. It is true that perhaps in the case of the Webster Decision, that may in fact change the landscape by which women have the right to abort fetus' in this country, but right now Roe versus Wade is the prevailing law.

I would also point out that I spent most of my time this year not in the Committee room in Judiciary, but serving as Senate Chair of the Joint Standing Committee on Human Resources and we have heard several pieces of legislation dealing with the growing problems of sexually active adolescents. The problems which we as a state face are truly awesome. We know, painfully, that today more than ever before we have an increasing population of adolescents for whom traditional lines of family communication have broken down or eroded. Children, adolescents, who often times leave home, who are completely adrift, who have no secure lines of communication, often times they don't even have a stable home. It is estimated that on any given night in Maine some four hundred adolescents roam our streets without any home at all. So, let us be very clear in defining the population most effected by our discussion today. I suspect it will probably not be my two daughters, although I do not know. We have a very warm, open, honest relationship in our home. It may effect us, but probably it will not. It will probably effect adolescent teens who have no viable means of family communication and I fully respect the intent of those who sponsor and propose legislation like that before us today who would seek through legislative articulation to bolster lines of family communication, but I must say that nothing in my experience as a practicing attorney, or my involvement with social work on the Human Resources Committee, leads me to conclude that we may by the wisp of an executive pen or legislative pen solidify those relationships. Life is much more difficult than that.

So, it is for that population, the population of at risk adolescents who are sexually active, that the majority compromise is primarily addressed at. It can certainly be said and argued that there are other rational approaches to this problem. Given the time constraints and given the excessive degree of emotionalism attended to this issue, I am truly proud of the leadership of Senator Hobbins and my colleagues on the Joint Standing Committee in crafting the legislation before you today. It will truly vindicate federally recognized rights of pregnant teens to abort, while at the same time advancing legitimate state interest to assure that the pregnant teens decision be informed and be intelligent. Thank you.

Off Record Remarks

On motion by Senator DUTREMBLE of York, Tabled until Later in Today's Session, pending the Motion of Senator HOBBINS of York, to ACCEPT the Majority OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-127) Report, in concurrence.

Out of order and under suspension of the Rules, the Senate considered the following:

PAPERS FROM THE HOUSE

House Papers

Bill "An Act to Amend the Charter of the New Sharon Water District" (Emergency)

H.P. 1089 L.D. 1511

Committee on UTILITIES suggested and ORDERED PRINTED.

Comes from the House, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee.

Which was, under suspension of the Rules, READ TWICE and PASSED TO BE ENGROSSED, without reference to a Committee, and ORDERED PRINTED, in concurrence.

Under suspension of the Rules, ordered sent forthwith to the Engrossing Department.

ORDERS OF THE DAY

The Chair laid before the Senate the Tabled and Later Today Assigned matter:

HOUSE REPORTS - from the Committee on JUDICIARY on Bill "An Act to Require Parental Consent to a Minor's Abortion"

H.P. 457 L.D. 622

Majority - Ought to Pass as Amended by Committee Amendment "A" (H-127)

Minority - Ought to Pass as Amended by Committee Amendment "B" (H-128)

Tabled - May 8, 1989, by Senator DUTREMBLE of York.

Pending - Motion of Senator HOBBINS of York, to ACCEPT the Majority OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-127) Report, in concurrence.

(In Senate, May 8, 1989, Reports READ.)

(In House, May 5, 1989 , Majority OUGHT TO PASS AS AMENDED Report READ and ACCEPTED and the Bill PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-127).)

THE PRESIDENT: The Chair recognizes the Senator from Kennebec, Senator Matthews.

Senator MATTHEWS: Thank you Mr. President. Mr. President, men and women of the Senate. First let me echo the remarks of the Senator from Penobscot, Senator Pearson, and the Senator from Androscoggin, Senator Gauvreau, and I know speaking for those in this Body that support the original version of parental consent, which I believe is the true parental consent Bill, but I know all of us have respect for the good Senator from York, Senator Hobbins, that is not the issue here today. The eloquence of the Senator from Androscoggin, goes without question. He is articulate and he does a very good job and I respect him and so does the rest of us in this Chamber.

Ladies and gentlemen of the Senate, I was thinking coming down here today about what I would say to all of you, fellow colleagues of this Body in trying to urge you not to go with this compromise version that is before us. Listening to the remarks this morning, first my good friend, the Senator from Androscoggin, Senator Gauvreau, said no one's position can be changed. I differ with that assessment. Maybe it is a truly optimistic kind of position I have always had, ever since running for office, but no one of rational mind, and I believe all of us are of rational mind, has their position locked in that we listen to the debate, we listen to the arguments on either side of the issue and there is always hope. I believe in miracles, ladies and gentlemen of the Senate.