

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

One Hundred And Seventeenth Legislature

OF THE

State Of Maine

VOLUME IV

FIRST REGULAR SESSION

Senate

May 2, 1995 to June 16, 1995

A vote of No will be opposed.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators: ABROMSON, BEGLEY, BENOIT, BERUBE, CARPENTER, CASSIDY, FERGUSON, GOLDTHWAIT, HALL, HANLEY, HARRIMAN, HATHAWAY, KIEFFER, LORD, MILLS, PENDEXTER, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND

NAYS: Senators: BUSTIN, CAREY, CLEVELAND, ESTY, FAIRCLOTH, LAWRENCE, LONGLEY, McCORMICK, MICHAUD, PARADIS, PINGREE, RAND, RUHLIN

ABSENT: Senators: AMERO, CIANCHETTE, O'DEA

19 Senators having voted in the affirmative and 13 Senators having voted in the negative, with 3 Senators being absent, the motion by Senator ABROMSON of Cumberland to ACCEPT the Majority OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-423) Report, in concurrence, PREVAILED.

The Bill READ ONCE.

Committee Amendment "A" (H-423) 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 a 24-Hour Waiting Period before an Abortion May Be Performed"

H.P. 464 L.D. 630

Reported that the same Ought Not to Pass.

Signed:

Senators:

MILLS of Somerset
PENDEXTER of Cumberland
FAIRCLOTH of Penobscot

Representatives:

TREAT of Gardiner
RICHARDSON of Portland
LEMKE of Westbrook
WATSON of Farmingdale
LAFOUNTAIN, III of Biddeford
JONES of Bar Harbor
HARTNETT of Freeport
NASS of Acton

The Minority of the same Committee on the same subject reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-474).

Signed:

Representative:

MADORE of Augusta

Comes from the House with the Majority OUGHT NOT TO PASS Report READ and ACCEPTED.

Which Reports were READ.

Senator MILLS of Somerset moved that the Senate ACCEPT the Majority OUGHT NOT TO PASS Report, in concurrence.

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

Senator MICHAUD: Thank you, Mr. President, Men and Women of the Senate. I hope you would vote against the pending motion, so we can go on to the minority ought to pass report. I will not belabor this. I think most of us know how we are going to be voting on this issue. The minority report requires a twenty-four hour waiting period before an abortion can be performed. Mr. President, when the vote is taken, I request a Roll Call. Thank you.

On motion by Senator MICHAUD of Penobscot, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT: The pending question before the Senate is the motion by Senator MILLS of Somerset that the Senate ACCEPT the Majority OUGHT NOT TO PASS Report, in concurrence.

A vote of Yes will be in favor of ACCEPTANCE.

A vote of No will be opposed.

Is the Senate ready for the question?

The Doorkeepers will secure the Chamber.

The Secretary will call the Roll.

ROLL CALL

YEAS: Senators: ABROMSON, BEGLEY, BENOIT, BUSTIN, CARPENTER, CLEVELAND, ESTY, FAIRCLOTH, FERGUSON, GOLDTHWAIT, HARRIMAN, LAWRENCE, LONGLEY, McCORMICK, MILLS, PENDEXTER, PINGREE, RAND, RUHLIN, SMALL, STEVENS, and the PRESIDENT, Senator BUTLAND

NAYS: Senators: BERUBE, CAREY, CASSIDY, HALL, HANLEY, HATHAWAY, KIEFFER, LORD, MICHAUD, PARADIS

ABSENT: Senators: AMERO, CIANCHETTE, O'DEA

22 Senators having voted in the affirmative and 10 Senators having voted in the negative, with 3 Senators being absent, the motion by Senator MILLS of Somerset to ACCEPT the Majority OUGHT NOT TO PASS Report, in concurrence, PREVAILED.

Divided Report

The Majority of the Committee on JUDICIARY on Bill "An Act to Require Parental Notification for Minors Seeking Abortions"

H.P. 467 L.D. 633

Reported that the same Ought Not to Pass.

Signed:

Senators:

- MILLS of Somerset
- PENDEXTER of Cumberland
- FAIRCLOTH of Penobscot

Representatives:

- TREAT of Gardiner
- WATSON of Farmingdale
- LAFOUNTAIN, III of Biddeford
- RICHARDSON of Portland
- LEMKE of Westbrook
- HARTNETT of Freeport
- JONES of Bar Harbor

The Minority of the same Committee on the same subject reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-475).

Signed:

Representatives:

- PLOWMAN of Hampden
- NASS of Acton
- MADORE of Augusta

Comes from the House with the Majority OUGHT NOT TO PASS Report READ and ACCEPTED.

Which Reports were READ.

Senator MILLS of Somerset moved that the Senate ACCEPT the Majority OUGHT NOT TO PASS Report, in concurrence.

On motion by Senator MILLS of Somerset, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT: The Chair recognizes the Senator from Lincoln, Senator Begley.

Senator BEGLEY: Thank you, Mr. President. I will vote against the motion for the obvious point that as a parent in a situation such as this I would hope that there would be 100% involvement. I'm reading what's wrong with mandating parental involvement. "Such laws lead to more distress and family violence". That is possibly true and you can probably prove it by fact. But it isn't proven, necessarily, at times that notification either before or after the fact, and I would accept notification even after the fact, because then I, as a parent, would certainly wish to be able to work with members of my family. I am not interested in a consent law. I am a person who, as you know, believes in choice. So, this notification is not a consent law. They will tell you that there is already a consent law on the books, and yet it is skirted around. It says here it will "force teens to endanger their health". That's very likely. "Intimidating public court system", that is already on the books. It is not in the notification law, it is in the consent law, it is already on the books that there has to be a certain amount of consent from somebody, skirting around parents, and I am not in favor of that. "Do not increase parents involvement", I would hope that such a thing as this would in that respect. I am of the opinion that the young person, or adult woman, has the right of choice. I wouldn't take that away from her. The minor child, I would ask, definitely, that there be more parental involvement in that, and I think this bill tends to do that. Will it satisfy everything? No, however, as a side issue, I would also say to those of you who are speaking today for the choice issue, please listen to those echoes that are up there in the ceiling that there was no choice in three or four other bills that were presented to us this year. They did not have the effect, or the potential effect, that this situation does have. Yet you are telling me today that as a parent I should not ask for parental notification, either before or after. I find that rather strange because I hope, and you can call me a pie in the sky parent, I hope that I have that right to know what is happening to my minor child. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Mills.

Senator MILLS: Thank you, Mr. President, Members of the Senate. Maybe I should begin by just reflecting on the fact that there are certain issues that crop up over and over and over again, every two years that members of this body are elected to come back and consider important social issues. It's interesting to look back at the record of the Senate from ninety or a hundred years ago. The hot issue at the turn of the century was something called recommissioning, which was a word that doesn't mean anything to us today, but what it meant was the repeal of Maine's temperance laws. Every biennium there was a huge floor fight with lengthy speeches about the advisability of repealing Maine's anti-liquor laws. That debate eventually passed into history. In our age the debate is one over abortion and restrictions on the right of abortion. This debate came to a head in the Maine Legislature in a very significant way in 1989. The Judiciary Committee at that time was chaired by two men who had a laudable public hearing. The issue was parental notification, parental approval, adult involvement,