

MAINE STATE LEGISLATURE

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McKane, McKenney, McLeod, Millett, Moody, Moore G, Moulton, Muse, Nass, Nutting, Ott, Pilon, Plummer, Richardson D, Richardson E, Richardson M, Richardson W, Rines, Robinson, Rosen, Sampson, Sherman, Shields, Smith W, Stedman, Sykes, Tardy, Thomas, Twomey, Vaughan.

ABSENT - Berube, Bierman, Crosby, Fitts, Jackson.
Yes, 70; No, 76; Absent, 5; Excused, 0.

70 having voted in the affirmative and 76 voted in the negative, with 5 being absent, and accordingly the Majority **Ought Not to Pass** Report was **NOT ACCEPTED**.

Subsequently, the **Minority Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-652)** was **READ** by the Clerk and **ADOPTED**. The Bill was assigned for **SECOND READING** Wednesday, June 8, 2005.

REPORTS OF COMMITTEE
Divided Report

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act To Educate Women on the Medical Risks Associated with Abortion"

(H.P. 28) (L.D. 25)

Signed:

Senators:

HOBBS of York
BROMLEY of Cumberland
HASTINGS of Oxford

Representatives:

PELLETIER-SIMPSON of Auburn
FAIRCLOTH of Bangor
GERZOFISKY of Brunswick
CANAVAN of Waterville
BRYANT of Windham
DUNN of Bangor
SHERMAN of Hodgdon

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-650)** on same Bill.

Signed:

Representatives:

CARR of Lincoln
BRYANT-DESCHENES of Turner
NASS of Acton

READ.

Representative PELLETIER-SIMPSON of Auburn moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative CARR of Lincoln **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Acceptance of the Majority **Ought Not to Pass** Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 281

YEA - Adams, Ash, Babbidge, Barstow, Blanchard, Blanchette, Bliss, Bowen, Brannigan, Brautigam, Brown R, Bryant, Burns, Cain, Campbell, Canavan, Craven, Cummings, Daigle, Driscoll, Duchesne, Dudley, Dugay, Dunn, Duplessie, Eberle, Eder, Faircloth, Farrington, Finch, Fischer, Fisher, Flood, Gerzofsky, Goldman, Grose, Hanley B, Hanley S, Harlow, Hogan, Hutton, Jacobsen, Jennings, Kaelin, Koffman, Lerman, Lindell, Makas, Marley, Marraché, Mazurek, McCormick, Merrill, Miller, Mills, Moody, Muse, Norton, Nutting, O'Brien, Patrick,

Pelletier-Simpson, Percy, Perry, Pilon, Pineau, Pingree, Pinkham, Piotti, Plummer, Rector, Richardson D, Richardson E, Richardson W, Rines, Robinson, Sampson, Saviello, Schatz, Sherman, Smith N, Smith W, Thompson, Twomey, Valentino, Walcott, Watson, Webster, Wheeler, Woodbury, Mr. Speaker.

NAY - Annis, Austin, Beaudette, Bishop, Bowles, Browne W, Bryant-Deschenes, Carr, Ceбра, Churchill, Clark, Clough, Collins, Cressey, Crosthwaite, Curley, Curtis, Davis G, Davis K, Duprey, Edgecomb, Emery, Fletcher, Glynn, Greeley, Hall, Hamper, Hotham, Jodrey, Joy, Lansley, Lewin, Lundeen, Marean, McFadden, McKane, McKenney, McLeod, Millett, Moore G, Moulton, Nass, Ott, Paradis, Richardson M, Rosen, Seavey, Shields, Stedman, Sykes, Tardy, Thomas, Trahan, Tuttle, Vaughan.

ABSENT - Berube, Bierman, Crosby, Fitts, Jackson.
Yes, 91; No, 55; Absent, 5; Excused, 0.

91 having voted in the affirmative and 55 voted in the negative, with 5 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence. **ORDERED SENT FORTHWITH.**

REPORTS OF COMMITTEE
Divided Report

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-664)** on Resolve, Directing the Bureau of Health To Study the Effectiveness and Quality of Reproductive Counseling
(H.P. 1057) (L.D. 1512)

Signed:

Senators:

HOBBS of York
HASTINGS of Oxford

Representatives:

PELLETIER-SIMPSON of Auburn
FAIRCLOTH of Bangor
CANAVAN of Waterville
DUNN of Bangor
SHERMAN of Hodgdon
CARR of Lincoln
NASS of Acton
BRYANT-DESCHENES of Turner

Minority Report of the same Committee reporting **Ought Not to Pass** on same Resolve.

Signed:

Senator:

BROMLEY of Cumberland

Representatives:

BRYANT of Windham
GERZOFISKY of Brunswick

READ.

Representative Pelletier-Simpson of Auburn moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

The **SPEAKER**: The Chair recognizes the Representative from Auburn, Representative Pelletier-Simpson.

Representative **PELLETIER-SIMPSON**: Mr. Speaker, Men and Women of the House. For too long the focus in America has been on the division between pro choice and pro life. The same phrases have been repeated over and over for decades – the right to choose, life begins with conception, restricting access to safe and legal abortion. While abortion has been the major battleground we have lost sight of the problem, unintended pregnancy. We need to drop all of the labels and slogans and it is time to refocus our efforts on unintended and unwanted

pregnancies instead of fighting over how to react to it, it is time to put prevention first.

I ask my colleagues, members with varying faiths, beliefs and views on abortion, to join me in supporting this bill. This bill would ask the Bureau of Health to assess what information we can use to continue the remarkable success that Maine has had in reducing the incidences of unintended pregnancy and, subsequently, the number of abortions. Yes, it also bears noting that Maine has done an incredible job in the reduction of unintended pregnancy.

Maine has one of the lowest teen pregnancy rates in the country and saw the steepest decline in the nation during the 1990s. The number of abortions in Maine has been cut in half over the last 15 years. Maine's overall abortion rate is half the national average. Two major factors have been associated with these successes, free and low cost access to preventative reproductive healthcare and a standard of comprehensive family life education that begins with abstinence and provides full information to our youth. We need to focus our attention on other ways to prevent unintended pregnancy. This approach is the best strategy to meeting everyone's goal and reducing the number of abortions in Maine. Please join me in supporting LD 1512.

Subsequently, the Majority Ought to Pass as Amended Report was **ACCEPTED**.

The Resolve was **READ ONCE**. Committee Amendment "A" (H-664) was **READ** by the Clerk and **ADOPTED**. The Resolve was assigned for **SECOND READING** later in today's session.

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act To Require Parental Notification of Teenage Abortions"

(H.P. 1112) (L.D. 1575)

Signed:

Senators:

HOBBS of York
BROMLEY of Cumberland
HASTINGS of Oxford

Representatives:

PELLETIER-SIMPSON of Auburn
FAIRCLOTH of Bangor
GERZOFKY of Brunswick
CANAVAN of Waterville
BRYANT of Windham
DUNN of Bangor

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-649)** on same Bill.

Signed:

Representatives:

SHERMAN of Hodgdon
CARR of Lincoln
BRYANT-DESCHENES of Turner
NASS of Acton

READ.

Representative PELLETIER-SIMPSON of Auburn moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The **SPEAKER**: The Chair recognizes the Representative from Auburn, Representative Pelletier-Simpson.

Representative **PELLETIER-SIMPSON**: Mr. Speaker, Men and Women of the House. We all share the common goal of

continuing to reduce the need for abortion and unintended teen pregnancy. The bill before you however would be a giant step in the wrong direction, threatening the health and privacy of Maine's young women.

The Maine Legislature first debated mandated parental consent in 1979, again in 1983, 1985 and 1987 and in 1989 the Legislature recognized the need to better address the issues that arise when a minor seeks abortion services and passed the adult involvement law. Its passage resulted from a broad consensus that young women that are under 18 and making decisions about their pregnancies need support and guidance. They should not and need not make those choices alone. Parental involvement and guidance are ideal for young women facing crisis pregnancies. When this is not possible Maine's teens should have the option of turning to another trusted adult for support and council.

Government cannot mandate good family communication. While most women find love, support and safety in their home a few fear that they would be physically or emotionally abused if forced to disclose their pregnancy. The bill before you would mandate parental notification for all young women facing a crisis pregnancy and choosing to have an abortion. If a parent is not a safe option the young woman would have to present clear and convincing evidence to a judge in their local court that she was capable of making this decision or was the victim of physical or sexual abuse. Imagine how overwhelming it would be for a young woman without a lawyer to maneuver the legal procedures required for a judicial bypass. Many experience fear and distress and do not want to reveal intimate details to strangers in a courtroom and are courts and judges the right place for a young woman to go? The adult involvement law ensures that a psychiatrist, psychologist, social worker, ordained clergy member, physician, physician's assistant, nurse practitioner, guidance counselor or registered nurse provide counseling and support the young woman. This law would repeal this critical counseling requirement.

The adult involvement law encourages family communication while providing every young woman with the guidance and support necessary to consider and evaluate all of the options available to her. Please oppose LD 1575. It is a step in the wrong direction for Maine's young women. Thank you.

Representative **CRESSEY** of Cornish **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER**: The Chair recognizes the Representative from Cornish, Representative Cressey.

Representative **CRESSEY**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. This is an issue that hits home directly for me. My daughter Amanda is 13. She is a special ed student at Socopee Valley High School and has won many medals at the Special Olympics events in Orono and Gorham and she will, in fact, be competing this weekend in Orono. Her best event is in running and she is one of the super fast people there and you can almost always guarantee that she will get a gold medal in that area. I try to encourage her to be on the high school team, but she is a little intimidated to do so though I know she would do very well competing at the high school level.

I would like to read my daughter's testimony as she presented it to the committee when this bill was heard, a copy of which I submit to you and would like to be entered on the record. This is what she has to say in her own words. "I am a supporter to the bill. I have heard about a 13 year old girl who is pregnant and