

# MAINE STATE LEGISLATURE

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**Legislative Record**  
**House of Representatives**  
**One Hundred and Twenty-Second Legislature**  
**State of Maine**

**Volume II**

**First Special Session**

May 26, 2005 – June 17, 2005

**Second Special Session**

July 29, 2005

**Second Regular Session**

January 4, 2006 - April 6, 2006

Pages 737-1487

Pingree, Pinkham, Piotti, Plummer, Rector, Richardson D, Richardson E, Richardson M, Richardson W, Rines, Rosen, Sampson, Saviello, Schatz, Seavey, Sherman, Shields, Smith N, Smith W, Stedman, Sykes, Tardy, Thompson, Trahan, Tuttle, Valentino, Walcott, Watson, Webster, Wheeler, Woodbury, Mr. Speaker.

NAY - Bryant-Deschenes, Cebra, Clough, Collins, Crosthwaite, Davis K, Grose, Hall, Joy, Lansley, Lewin, McFadden, McKane, Moore G, Thomas, Twomey, Vaughan.

ABSENT - Brown R, Hotham, Mazurek, Robinson.

Yes, 130; No, 17; Absent, 4; Excused, 0.

130 having voted in the affirmative and 17 voted in the negative, with 4 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

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The House recessed until the Sound of the Bell.

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(After Recess)

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The House was called to order by the Speaker.

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

Bill "An Act To Protect Unborn Children from Acts of Violence"

(H.P. 201) (L.D. 262)

Which was **TABLED** by Representative PELLETIER-SIMPSON of Auburn pending **FURTHER CONSIDERATION**.

On motion of Representative PELLETIER-SIMPSON of Auburn, the House **RECEDE**.

On further motion of the same Representative, **Committee Amendment "A" (H-647)** was **INDEFINITELY POSTPONED**.

The same Representative **PRESENTED House Amendment "A" (682)**, which was **READ** by the Clerk.

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

Representative **PELLETIER-SIMPSON**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. This original bill could have been used to link Maine's most deadly social problem, domestic violence with one of societies most contentious issues, abortion. It may have had an unintended consequence of turning doctors and nurses into criminals and that is why I could not support it. Two months ago we passed the Motherhood Protection Act, an enormous first step in demonstrating this state's commitment to eradicating the evil of violence against pregnant women, but it was missing one very important element. Today I am proposing an amendment to LD 262, which will address the tragic circumstance that when a woman has made the decision to carry a pregnancy to term but has that choice taken away by an act of violence. With this amendment we will say in no uncertain terms that if you assault a pregnant woman and cause her to lose her pregnancy the state will prosecute you and meet out the harshest of punishments by making this a Class A crime. In the future women will have their choice to have a baby protected in law and we will honor the tragic loss of the Fliegelman family, when Heather and Jonah

were taken from them. Thank you for your time and attention and I urge you all to support the pending motion to protect pregnant women from acts of violence.

The **SPEAKER**: The Chair recognizes the Representative from Hampden, Representative Duprey.

Representative **DUPREY**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. When I sponsored this bill I never thought that I would get to a day where there would be agreement with the other side as far as being so diametrically opposed on certain issues, but yet being able to find common ground. I would like to thank the Representative from Auburn, Representative Pelletier-Simpson for coming to me and working together with me. I know that it took a lot for her to do that and I really humbly appreciate that. I know that the Representative from Bangor, Representative Faircloth had something to do with it too and I really appreciate him as well and anybody that had been involved.

To me there is nothing lower than someone who assaults or kills a pregnant woman. Any woman who wishes to carry an unborn child to term should have that right and anyone who assaults or kills a pregnant woman, which results in termination of the pregnancy will be severely punished by this bill with a Class A crime. This bill, as amended, sends a powerful message that Maine will not tolerate acts of violence against pregnant women. Thank you Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Holden, Representative Hall.

Representative **HALL**: Thank you Mr. Speaker. Mr. Speaker, Men and Women of the House. I would just like to echo the sentiments of the Representative from Hampden, Representative Duprey. My sincerest thanks to the Representative from Auburn, Representative Pelletier-Simpson, her willingness to come to us, to work together with us and to come to a resolution that we can all be happy with and proud of is commendable and I give her my most sincere thanks and urge everyone to please support this amendment. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Frenchville, Representative Paradis.

Representative **PARADIS**: Thank you Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I too, as a cosponsor of this bill, do agree with the compromise and certainly my compliments go to the Representative from Auburn, Representative Pelletier-Simpson and to everybody that was involved in this. There is plenty of common ground here and this is an example of one and I am very proud of the whole body today. For this I urge you to go green. Thank you.

Subsequently, House Amendment "A" (682) was **ADOPTED**.

The Bill was **PASSED TO BE ENGROSSED as Amended by House Amendment "A" (682)** in **NON-CONCURRENCE** and sent for concurrence. **ORDERED SENT FORTHWITH**.

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The following items were taken up out of order by unanimous consent:

**SENATE PAPERS**

The following Joint Resolution: (S.P. 637)  
**JOINT RESOLUTION HONORING THE 200TH ANNIVERSARY OF OXFORD COUNTY**

WHEREAS, the Great and General Court of the Commonwealth of Massachusetts did charter the new County of Oxford, in the then District of Maine, "to be hereby formed and erected into an entire and distinct county," on March 4, 1805; and

WHEREAS, Oxford County was named for Oxford, Massachusetts, and in turn for Oxfordshire, England, in honor of its original settlers, the veterans of the French and Indian War