

Senator Carney, Representative Moonen and members of the Joint Standing Committee on the Judiciary, my name is Nicole Clegg, I serve as the Acting CEO at Planned Parenthood of Northern New England and I am pleased to submit testimony in support of LD 1412.

Planned Parenthood of Northern New England provides comprehensive reproductive and sexual health care to more than 14,000 people in Maine at four health centers located in Biddeford, Portland, Sanford and Topsham. People turn to us for affordable, high-quality care including wellness exams, birth control, disease testing and treatment, cancer screenings, abortion care as well as a variety of primary care services. We see everyone who comes to us regardless of ability to pay, and in a typical year, we provide more than \$3 million in free and discounted care to our communities in Maine.

As a mission driven health care provider, we fundamentally believe everyone should be able to get affordable, high quality sexual and reproductive health care in their communities, no matter where they live or how much money they make and we advocate for policies that help make this vision a reality.

The benefits of enshrining the protections of the Maine Human Rights Act into the Maine Constitution are deep, spanning the breadth of Mainer's everyday life. My testimony speaks to its impact on a narrow but extremely timely area— access to health care, specifically access to the reproductive health care of ones choosing.

Last year the Supreme Court of the United States released its decision in *Dobbs v. Jackson*, overturning *Roe v. Wade*, removing federal protections for abortion access and effectively putting hundreds of millions of Americans' ability to access the health care of their choice at the whims of politicians in their respective states. In the nine months since the release of *Dobbs*, abortion access has been significantly restricted in more than a third of the country with more than a dozen states¹ passing or allowing a previously passed total ban on abortion to go into effect. Thankfully, Maine does not count itself among this number, however, as the ongoing debate in NH shows, nothing can be taken for granted and access can be curtailed well short of an outright ban. If passed and approved by the voters LD 1412 would prevent this in Maine. In states that have adopted similar amendments to their Constitutions the courts have consistently shown that such a protection not only protects the right to abortion but also access to it through their insurance.²

¹ *New York Times*, "Tracking the States Where Abortion Is Now Banned", Updated April 14, 2023, <https://www.nytimes.com/interactive/2022/us/abortion-laws-roe-v-wade.html>

² *State, Alaska Dep't of Health & Soc. Servs. v. Planned Parenthood of Alaska, Inc.*, 28 P.3d 904, 908 (Alaska 2001) (invalidating Alaska's restrictions on public funding of medically necessary abortions based on "the state constitutional guarantee of 'equal rights, opportunities, and protection under the law.'")

The right to make and carry out decisions about reproductive health, including abortion, is central to women's equality. Laws and policies that intentionally prevent individuals from accessing reproductive health care constitute sex discrimination and need to be eliminated.

LD 1412 represents a crucial and timely opportunity to secure access for future generations by enshrining equal rights in the State Constitution. Reproductive rights are deeply connected to civil rights for all Americans. Planned Parenthood has long stood with people who, because of systematic racism, sexism and other forms of oppression have been disenfranchised from the political process, and denied access to justice and quality of life. True equality demands that every person have access to comprehensive health care, including reproductive health care such as birth control and abortion, no matter their gender, race, ethnicity, income, religion, sexual orientation, gender identity, age, disability, immigration status or any other identity. Rights are inherent to the dignity and humanity of all Mainers should not be subjected to the whims of political cycles; Legislatures and Governors change—rights do not. It is for this and many other reasons that I am proud to support LD 1412.

(quoting Alaska Const. art. I, §1)); *Simat Corp. v. Ariz. Health Care Cost Containment Sys.*, 56 P.3d 28, 32, 37 (Ariz. 2002) (invalidating Arizona's restrictions on public funding of medically necessary abortions based on the state constitution's equal privileges and immunities clause); *Doe v. Maher*, 515 A.2d 134, 162 (Conn. Super. Ct. 1986) (invalidating Connecticut's restrictions on public funding of medically necessary abortions based on state's equal protection and due process clauses, and the state ERA prohibiting discrimination on the basis of sex); *Jeannette R. v. Ellery*, No. BDV-94-811, 1995 Mont. Dist. LEXIS 795, at * 21–28 (Mont. Dist. Ct. May 22, 1995) (invalidating Montana's restrictions on public funding of medically necessary abortions based on state constitutional guarantees of privacy and equal protection); *Right to Choose v. Byrne*, 450 A.2d 925, 941 (N.J. 1982) (invalidating New Jersey's restrictions on public funding of medically necessary abortions based on state constitutional guarantee of equal protection); *N.M. Right to Choose/NARAL v. Johnson*, 975 P.2d 841, 859 (N.M. 1998) (invalidating New Mexico's restrictions on public funding of medically necessary abortions based on the state ERA prohibiting discrimination on the basis of sex); *Doe v. Celani*, No. S81-84CnC, slip op. at 8–12 (Vt. Super. Ct. May 26, 1986) (holding regulation that denies reimbursement for medically necessary abortions unconstitutional under the Vermont Constitution).