



# HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0002  
(207) 287-1440  
TTY: (207) 287-4469

## John "Jack" E. Ducharme III

34 Heald Street  
Madison, ME 04950  
Cell: (207) 431-0775

[Jack.Ducharme@legislature.maine.gov](mailto:Jack.Ducharme@legislature.maine.gov)

In Strong Opposition to LD 1619  
**An Act To Improve Maine's Reproductive Privacy Laws**  
Joint Standing Committee on Judiciary  
April 30, 2023

Senator Carney and Representative Moonen, Honorable Members of the Joint Standing Committee on Judiciary; I am Jack Ducharme, I am a resident of Madison and proudly represent the people of Madison, Norridgewock and Cornville as the Representative for Maine House District 71. I am here to testify in strong opposition to LD 1619. This is so abhorrent to me that I refuse to use the term "abortion" and hence have substituted what it is "**killing a baby**" as a more accurate term throughout my testimony.

First, the bill title is really a red herring. The ONLY thing in the bill that has to do with Reproductive Privacy is the proposed change in reporting protocol outlined in Section 1 of the bill. It changes the reporting from using a federal United States Standard Report of Induced Termination of Pregnancy to some unnamed report that will be "prescribed by the department" at some future date. The report must include certain data but MAY NOT include any identifiable factors. For the record, the United States Standard Report of Induced Termination of Pregnancy all of the required data while maintaining the privacy of the patient so it is unclear as to what will be "improved" with respect to reproductive privacy laws.

Maine law currently allows babies **to be killed** up to 20 weeks for any reason at all. After 20 weeks and up until 24 weeks, the **killing of the baby** may only be done "to preserve the life or health of the mother. Despite her statement to the contrary during the campaign, Governor Mills has proposed a bill that will make Maine one of the most permissive states in the U.S for "**killing of a baby**". If LD 1619 passes and is signed by the Governor, Maine will permit the **killing of innocent babies** right up until birth for any reason. Current law, Maine Title 22 Chapter 263 B subsection 1598 says:

### 2. Definitions...

B. "Viability" means the state of fetal development when the life of the fetus may be continued indefinitely outside the womb by natural or artificial life-supportive systems.

Most medical professionals consider 20 weeks gestation time "viability" as defined by state statute. This bill proposes to remove that language, "necessary to preserve the life and health of the mother," the current "guard rail" for **killing babies** after 20 weeks.

District 71  
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**4. Killing a baby after viability; criminal liability.** A person who *kills a baby* after viability is guilty of a Class D crime if:

A. The person knowingly disregarded the viability of the fetus; and [RR 2021, c. 2, Pt. B, §98 (COR).]

B. The person knew that *killing the baby* was not necessary for the preservation of the life or health of the mother.

What this bill proposes is not “women’s health care.” A medical professional can perform the *killing of a baby* right up until the point of live birth for any reason. If this bill passes, that *murder of a baby* will not even need the imprimatur of preserving the life and health of the mother!

This bill also proposes to remove any criminal penalties for *killing a baby* without a license or appropriate certification. Maine Title 22 Chapter 263 B sub section 1598 says;

**3. Persons who may kill babies; penalties.**

A. Only a person licensed under [Title 32, chapter 36](#) or [48](#) to practice in the State as an osteopathic or medical physician or physician assistant or a person licensed under [Title 32, chapter 31](#) to practice in the State as an advanced practice registered nurse may *kill a baby* of another person. [PL 2019, c. 262, §5 (AMD).]

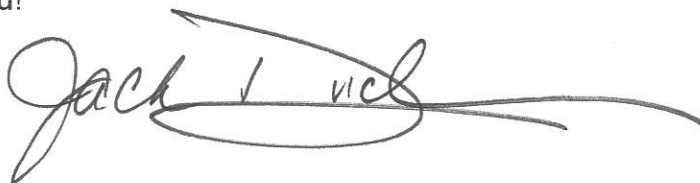
B. Any person not so licensed who knowingly *kills a baby* of another person or any person who knowingly assists a nonlicensed person *in killing a baby* of another person is guilty of a Class C crime.

If LD 1619 passes, item B of the current law will be repealed. It appears that item A would remain but without penalty, it would be meaningless. Aside from the grammatical issue of having an “A” without a “B”, this will allow **ANYONE** who wishes to *kill a baby* to do so without license or certification without penalty of law for the act! One would be able to *kill a baby* for no reason, with no training in how to do it. Some scream about euthanasia of animals by qualified veterinarians, but seem to have no problem with *killing human babies*!

As a 65-year-old man, I’m told that because it won’t affect me, I shouldn’t voice my opinion on this subject. If I cannot speak up for the lives of these babies, who will! I have to say that as a Christian, Catholic, as a father of 2 and a grandfather of 8+, I have an opinion. I believe that there will be a special place in hell for those who promote or support this type of behavior. Think about this...the next time you rail about the kids being murdered in DHHS custody, think about the **2,000 babies a year killed** in Maine using DHHS dollars. That is 5 murdered Maine babies a day! Five precious children who no one knows what their lives would produce.

Please vote **Ought Not To Pass** on this barbaric piece of legislation. It does not deserve to survive a committee vote. It is horrific to think that we’re even considering it! Babies’ lives are depending on you!

Jack Ducharme  
Maine House District 71  
Madison, Norridgewock, Cornville



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