

April 29, 2023

To: Joint Standing Committee on Judiciary

Maine House of Representatives

Jesse Bifulco

Camden, ME

Re: Testimony in Opposition to LD 1619

Dear Senator Carney and Representative Moonen, Honorable Members of the Joint Standing Committee on Judiciary,

I strongly oppose Bill LD 1619 because it severs an important connection between the decision to end life and its justification.

The proposed law eliminates prior legal understanding that both the mother *and* child have competing rights to live.

Without this analysis, the Bill removes without replacing the prior rationale for regulating abortion. The proponents of this bill, by their own words, justify elective abortion for its economic benefits. Because at nine months gestation a child is a viable human being, LD 1619 legalizes the profoundly immoral belief that it is justifiable to end a child's life *if* it will reduce the mother's lifetime earning potential. In fact, the Bill goes even further. Because economic justification is merely public rhetoric and not part of the Bill, proof that birth would limit earning potential is *not* a statutory precondition to legal abortion. In fact, the law does not require *any* justification to terminate a child nine months in gestation.

LD 1619 makes abortion elective by removing the qualifiers of the health of the mother, or the ability of the child to live apart from the mother, from the judgment of when an abortion is legal. Despite the requirement of involvement of a physician, there is no medical standard. Therefore, there is no limit.

LD 1619 is a radical departure from American law. Our country has never established a right of a citizen to take the life of another, *apart* from the necessity to save life. Legal taking of a life in our system is extremely rare. No law permitting the taking of human life sets the bar as low as LD 1619. The state's right to take life (capital punishment), and the citizen's right to take life (self-defense), are established for the defense of an innocent against a transgressor. But LD 1619 allows the execution of a person merely for being dependent upon another for her or his needs. Conversely, there are many laws enacted to help individuals preserve their right to live. The Bill of Rights, even Maine's new Constitutional Right to Food, - *all* of our laws establishing citizen's "rights" are based on these two facts: 1) that to each person her or his own life is valuable and important; and 2) that an individual may be too weak to prevent others from taking her or his life.

LD 1619 departs from the steady progress of legal precedent that has led to a recognition of unqualified rights to an individual that no government can take away - dating back at least to the Magna Carta. LD 1619 hurls us backward to the regressive, atavistic principle that "might makes right". LD 1619 replaces the present presumption that all innocent people have a right to live, with a precedent that only

independent people have a right to live. A law that allows dependent people to be legally executed justifies legal euthanasia of the incapacitated – the elderly, the disabled, and others. Further, because none of us are independent, LD 1619 creates a legal precedent that *none* of us has an inviolable legal right to live. In a very real way, we all depend upon the recognition of the value of our own life by others. Few grow their food, or harvest the fuel needed to warm them in winter. Yet most have what they need to sustain their life because of voluntary cooperation with others. We participate in this system because of a fundamental understanding: that despite our differences we all have inherent value. We all have a right to live. To act otherwise is to transgress in a way that violates that compact and sacrifices our shared humanity.

No advocate of LD 1619 is saying the law is needed to save lives. This law will allow a pregnant woman to choose to kill her child, so long as she decides proximate in time to the child's birth – because it is her right to do so.

Please reconsider your support of this Bill.

Sincerely,

Jesse Bifulco

Camden resident.

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LD 1619

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