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Re: LD 260, "Proposing an Amendment to the Constitution of Maine to Establish that All Maine Residents Have Equal Rights Under the Law"

To: Senator Carney, Representative Kuhn and Honorable Members of the Joint Standing Committee on the Judiciary

Thank you for this opportunity to provide testimony in support of a Maine Inclusive Equal Rights Amendment, specifically L.D. 260.

I am a retired attorney living in Brunswick. I grew up listening to my grandmother's and my mother's stories about their unfortunate experiences as women coming of age and raising children. Both were traditional in lifestyle, my grandmother a stay-at-home mom with eight children, and my mother also a stay-at-home mom until I was in my teens. However, both were adamant about the rights of women, having experienced discrimination and poor treatment. These are just a couple of examples of the stories I heard from them:

Domestic violence: From my grandmother (born around 1900) I heard stories of relatives and neighbors who experienced abuse at the hands of male relatives, as well as women who were afraid to come forward to report sexual violence. These women had no recourse for help from the authorities. While there has been significant progress in this area, there are signs that attitudes are backsliding: specifically, comments from conservative leaders suggesting that women should be subservient to their husbands. While the federal Violence Against Women Act would seem to guarantee rights to victims of domestic and sexual violence in all the states, the U.S. Supreme Court has found the Act unconstitutional, without support in the Commerce Clause. LD 260 would ensure that our state's legal system offers protection to all Maine residents in domestic violence situations.

Reproductive Health: Both my grandmother and my mother had difficulty accessing reproductive health care. Although my grandmother dearly loved her eight children, her health suffered greatly as she continued to bear children well into her forties, beyond the point where her worn-out body could tolerate the burden of pregnancy, childbearing and the childrearing. Had she had been able to access contraception (which existed in at least rudimentary form at that time) she would have stopped having children at an earlier point in time. Even decades later, in the 1960's, my mother (born 1922) had trouble accessing basic gynecological care for pelvic pain. Seeking a pelvic exam from a military physician when my father was stationed overseas, she was unable to get one, as the physician considered the exam unnecessary and outrageously suggested that my mother sought the exam for "indecent" reasons. Given that he was the only

gynecologist available in the military health service in that area, my mother was unable to access appropriate care for her condition, and did not obtain needed treatment until more than a year later, when we returned to the States.

Having come of age in the 1970's, I was in the first generation of American women to be able to access the full range of reproductive health care. This included not only contraceptive and abortion care, but also prenatal care, including the full range of options for women experiencing miscarriages and problem pregnancies. With the gradual erosion of such rights in recent decades, I fear that my two daughters and two stepdaughters will experience the same kinds of things my mother and grandmother did. While Maine law currently protects their rights, the situation could easily change under future legislatures and governors – as borne out by events in other states following the U.S. Supreme Court's decision in *Dobbs*. Enshrining these and other rights in the Maine Constitution under LD 260 will ensure that future generations of women will be secure in their ability to govern their own bodies and have parity with men in all areas of their lives.

Other areas of discrimination which would be prohibited by LD 260: These are just two examples of discriminatory treatment which disproportionately affect women. Other areas include workplace discrimination and the gender pay gap. I am fully in support of the Maine Constitutional protections offered by LD 260, to women as well as to all Maine residents.

Why the Maine Legislature should pass LD 260: Maine ratified the federal Equal Rights Amendment in 1974. However, due to arbitrary time limits which have been applied to the federal ERA but never to previous attempts to amend the Constitution, the federal ERA was (erroneously) considered dead on arrival when it was just a few states short of full ratification (full ratification came later). LD 260 would fill this gap by guaranteeing that all Maine residents have equal rights under the law.

For all these reasons, I urge the Judiciary Committee to vote "ought to pass" on LD 260. Again, I thank the Committee for the opportunity to express my views on this bill.