

*131st Legislature*  
***Senate of***  
***Maine***  
*Senate District 24*

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*Testimony of Senator Eloise Vitelli introducing*  
**LD 780, RESOLUTION, Proposing an Amendment to the Constitution of**  
**Maine to Protect Personal Reproductive Autonomy**  
*Before the Joint Standing Committee on Judiciary*  
January 22, 2024

Senator Carney, Representative Moonen, and Esteemed Members of the Joint Standing Committee on Judiciary, my name is Eloise Vitelli, and I proudly represent Senate District 24, which includes all of Sagadahoc County and the town of Dresden in Lincoln County. I am before you all today to introduce LD 780, *RESOLUTION, Proposing an Amendment to the Constitution of Maine to Protect Personal Reproductive Autonomy*.

With this bill, we send the decision to clearly enshrine reproductive rights into the Maine Constitution to the Maine voters. The ability to determine our reproductive health is a fundamental human right, and it deserves the same level of protection as our other constitutionally protected rights.

As Americans, our constitutional rights – the right to free speech, the right to hold religious beliefs of our choosing, and the right to be free from unreasonable search, among others – are sacred guarantees that grant us the freedom to live a life of our choosing as citizens of a democratic society. We hold these truths to be self-evident: that all people are created equal and have the right to life, liberty, and the pursuit of happiness.

In my lifetime, I remember when my access to birth control was limited and access to safe, legal abortion was, for most of us, nonexistent. Then I remember when things changed, when my privacy rights were legally recognized, and access to abortion care was no longer illegal, dangerous, and clandestine. For fifty years, some of us came to believe we indeed had a guaranteed right to reproductive liberty.

For fifty years, access to birth control and to safe and legal abortions allowed women of my generation and those that came after, to take greater control over our decisions about the ever-challenging balancing act between work and family, giving us greater opportunity to participate fully in our communities and the economy. . My professional career was devoted to advancing the economic security of women and their families. Access to reproductive health care was an essential part of being able to plan and achieve economic security. It should not have been a

surprise therefore when many of us felt robbed of our future, of our rights as free people when the Dobbs decision came down.

In 2022, when the United States Supreme Court reversed *Roe v. Wade*, the notion that we had a right to reproductive liberty vanished overnight. With their decision, The Supreme Court kicked the issue of reproductive autonomy in this country back to the states for them to decide. As we are seeing so clearly, in state after state across this nation, laws can and do change. And in many places, to the endangerment of women.

As a Maine legislator, over the past eight years alone, I have seen more than two dozen proposals that would have restricted access to reproductive care. Attacks on Mainers' rights to bodily autonomy have been considered by the Maine Legislature every year. Fortunately, in this state, we have managed to fend off restrictions and protect access to critical health care services including abortion—which *is* health care.

By passing LD 780, we send the constitutional amendment out to voters for approval. In doing so, Maine will be joining states like Vermont, Ohio, and Michigan in seeking to make reproductive freedom explicit in our constitution; if approved by a majority of voters, it will ensure that our fundamental rights are maintained, regardless of who is in the Legislature or the Blaine House.

We know what most Maine people want—individuals, families, and their health care providers want the freedom to make reproductive health care decisions for themselves. The decision of when or if to start a family, or carry a pregnancy to term, should be between a patient and their doctor – not with me or any other elected official.

With federal protections for abortion gone, state-level protections for reproductive liberties are vital. Right now, while we have good laws in place in Maine, the protections granted by those laws can be taken away by politicians in Augusta. As written, our state constitution offers some protection for reproductive rights. This amendment would make it explicit that our reproductive rights are protected by the state constitution.

I know this committee in particular, and all of us, policymakers and advocates alike, have devoted much time and energy to issues around abortion care, birth control and bodily autonomy. The best way for us to take abortion out of politics and politics out of abortion is to acknowledge that this is fundamentally a personal decision and should be protected as such. That is what this proposal intends to do.

I urge you to pass this resolution.



**Eloise Vitelli**

Senate Majority Leader, Senate District 24  
*Sagadahoc County and Dresden*