

MAINE STATE LEGISLATURE

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of the
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of the
State of Maine

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women. Believe me. Don't go agonizing over this decision for them. Don't fool yourself." I can't even say it that harshly.

I don't see any problem with requiring someone to know what is happening and to have the information available. It would be like you are walking in here and voting on an issue that you have never heard, just like you are supposed to do it because it seems like the right thing to do. If it is not an undue burden, it is constitutional and it provides information and we have access in the State of Maine and I don't see what the problem with passing this is. Thank you.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Townsend.

Representative TOWNSEND: Madam Speaker, Men and Women of the House. Once again we have in front of us a needless and unnecessary piece of legislation put before you to convey the thought that women are casually and frivolously engaging in serious decisions. The abortion rate in Maine has declined by 43.5 percent in the last decade. Abortion is not on the rise in Maine. Women are giving it serious consideration before making such a serious decision. In our other debate we considered experiences in other states and I want to point out to you that in other states the 24-hour waiting period has been used to harass women seeking an abortion so that the protesters outside the clinic could gain her registration, phone her and harass her for the following 24 hours. I think that is extremely inappropriate and not behavior that we want to encourage in Maine. Finally, I want to say just one more time that I find this an extremely offensive measure, which suggests that women are not capable of giving serious thought to serious decisions. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is acceptance of the Majority "Ought Not to Pass" Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 92

YEA - Bagley, Baker CL, Baker JL, Barth, Belanger IG, Berry DP, Berry RL, Bigl, Brennan, Brooks, Bruno, Bull, Bunker, Cameron, Carleton, Chartrand, Chick, Cianchette, Colwell, Cowger, Cross, Davidson, Donnelly, Dunlap, Etnier, Fisher, Fuller, Gagne, Gagnon, Gamache, Goodwin, Gooley, Green, Hatch, Honey, Jabar, Jones KW, Jones SL, Jones SA, Joyce, Joyner, Kerr, Labrecque, LaVerdiere, Lemaire, Lemke, Lemont, Lindahl, Lovett, Mailhot, Marvin, Mayo, McElroy, McKee, Mitchell JE, Morgan, Murphy, Muse, Nass, Nickerson, O'Neal, O'Neil, Paul, Peavey, Pendleton, Perkins, Pieh, Pinkham RG, Poulin, Povich, Powers, Quint, Richard, Rines, Rowe, Savage, Saxl JW, Saxl MV, Shannon, Shiah, Skoglund, Spear, Stevens, Taylor, Tessier, Thompson, Townsend, Tripp, Usher, Volenik, Watson, Wheeler GJ, Winglass, Winn, Winsor, Wright, Madam Speaker.

NAY - Ahearne, Belanger DJ, Bodwell, Bolduc, Bouffard, Bragdon, Bumps, Campbell, Chizmar, Clark, Clukey, Desmond, Dexter, Driscoll, Dutremble, Foster, Frechette, Gerry, Gieringer, Joy, Kasprzak, Kneeland, Lane, Layton, MacDougall, Mack, Madore, McAlevy, Meres, Perry, Pinkham WD, Plowman, Samson, Sanborn, Sirois, Snowe-Mello, Stanley, Stedman, Tobin, Treadwell, Tuttle, Underwood, Vedral, Vigue, Waterhouse, Wheeler EM.

ABSENT - Buck, Farnsworth, Fisk, Kane, Kontos, O'Brien, Ott, True.

Yes, 97; No, 46; Absent, 8; Excused, 0.

97 having voted in the affirmative and 46 voted in the negative, with 8 being absent, the motion to accept the Majority "Ought Not to Pass" Report was accepted and sent up for concurrence.

HOUSE DIVIDED REPORT - Majority (9) "Ought Not to Pass" - Minority (4) "Ought to Pass" as amended by Committee Amendment "A" (H-166) - Committee on Judiciary on Bill "An Act to Require Parental Notification for Minors Seeking Abortions" (H.P. 491) (L.D. 662)

TABLED - April 10, 1997 by Representative THOMPSON of Naples.

PENDING - Motion of same Representative to accept the Majority "Ought Not to Pass" Report.

The SPEAKER: The Chair recognizes the Representative from Madawaska, Representative Ahearne.

Representative AHEARNE: Madam Speaker, Ladies and Gentlemen of the House. I believe that today's current law, the so-called adult involvement law, is nothing. It is worthless. Under Title 22, Section 1597-A, Consent to a Minor's Decision to have an Abortion, in Paragraph 2, Paragraph D, it says, "The Probate Court or District Court issues an order, under Subsection 6, on petition of a minor, or the next friend of the minor, for purposes of filing in a petition for the minor. My big concern here is exactly at that point what is next friend? Is it another friend? Is it another minor? Is it the boyfriend? No where in the state statute does it define what next friend is. If we look through the statutes under Paragraph 6, Paragraph A, again, the minor or next friend of the minor for the purposes for filing a petition may make an application to the Probate Court or District Court which shall assist the minor or next friend of a minor shall file a petition setting forth. Again, next friend, what is next friend? Right before Paragraph B at the end of Paragraph A the minor or the next friend shall sign the petition.

Ladies and gentlemen, I don't believe that next friend means adult involvement. Next friend could be another minor. It could be the boyfriend. It could be a friend. It does not specifically say. I believe that is a major flaw in these so-called adult involvement laws that we currently have on the books. The information provided to minors, again, it is all voluntary under Paragraph 4, Paragraph A, Subsection 6, "Provide adequate opportunities of a minor to ask any questions concerning the pregnancy, abortion, childcare, adoption and provide them information that minors seek or if the person cannot provide the information and to get where the minor can receive information." Once again it is not being required.

There was discussion under the original bill that there was a judicial bypass that a minor would have to appear before a court, which was stricken out with the amendment that we are not looking at currently, which that addresses. Under that argument that the minor will be intimidated, I cannot see how they are going to ask questions when they are going through counseling or they are seeking information. They are going to be scared and it is unfortunate they had to come to this point. I can't see how they are going to make the right decision without being properly informed. For those reasons, ladies and gentlemen, I ask you not to accept the Majority "Ought Not to Pass" Report for the mere fact that next friend does not mean adult involvement. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bridgton, Representative Waterhouse.

Representative WATERHOUSE: Madam Speaker, Ladies and Gentlemen of the House. For those of you who were here in the 117th, you remember this bill that was before us. It is the same bill. We debated it and for the life of me I couldn't understand why we didn't think that parents should know whether their little child, young daughter, was going to have this procedure performed on them. Representative Ahearne is entirely right. It could be a friend. When you look at the information and the different articles that appeared in the paper

at that time we saw a nationwide poll of how many people thought that parents should know if their young daughter was going to have an abortion. It was somewhere up around 74 percent. The country is pretty well divided on the abortion rights, prochoice and prolife. People view this as a reasonable stand to take.

One of the big problems when we look around in our society now is the breakup of the family. We are always stressing on our younger men the responsibilities when they father a child. We are always promoting the fact that parental responsibilities are being usurped by government actions. I can't imagine something that should be more a parental right than to know whether their daughter was going to have a major surgery done on her. Anytime a child has a medical procedure done on them, that I know of, they have to have get a waiver from the parents before they perform that medical procedure and yet this is a major surgery. Rights and responsibilities of parents.

In the last session, in the 117th, we had Representative Layton talk about his young daughter and how very young she was and how this procedure could be performed on her without him knowing about it. It is outrageous. This has a judicial bypass to take care of any problems where a situation might arise where the actual abuser, if that is the situation, if the person is her father. There is no problem in that area. Think long and hard on how many more rights you want to give up as a parent. Not to know what is happening to your child. I urge you to defeat the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Naples, Representative Thompson.

Representative THOMPSON: Madam Speaker, Men and Women of the House. I urge you to support the Majority "Ought Not to Pass" Report on this bill. To clarify something, the word, next friend is a legal term. It is clearly in the law in the section pertaining to applying to court. The word, next friend, has a very definite legal definition, and it does mean you have to be an adult. That is not an issue here. The adult involvement law is working. It is adequate to protect and we have not been presented with any arguments telling us how it has not worked. This is a file it every two years bill and maybe someday it will pass. The present law is working. The next friend does mean an adult. I urge you to support this report.

The SPEAKER: The Chair recognizes the Representative from Penobscot, Representative Perkins.

Representative PERKINS: Madam Speaker, Men and Women of the House. This was here two years ago and I voted against it then and I am going to vote against it now. I asked the question then and I would like to ask it again, if I may, to anybody who supports the requirements. It is hard for me to envision a situation where a minor child who is pregnant would not be sharing this information with the parents anyway. It is hard for me to understand a healthy situation where the child would not be sharing this with the parents. I ask, under what conditions could you envision supporters of this notification requirement, where a healthy situation could exist, but, we as a government, would force the notification? Thank you.

The SPEAKER: The Representative from Penobscot, Representative Perkins has posed a question through the Chair to anyone who may care to respond. The Chair recognizes the Representative from Bridgton, Representative Waterhouse.

Representative WATERHOUSE: Madam Speaker, Ladies and Gentlemen of the House. Yes, I can visualize that happening. Just taking a for instance, when my father was alive and I respected his opinion very much and there were things I have done in my life that I didn't want him to know because I knew he would frown on those things. I admired him and I wanted him to admire me. I can see that happening with a

young lady whose parents are very traditional and a spouse is after her for whatever reason and she made a mistake and got pregnant and she didn't want him to know about it. So much so that she valued her parents respect and admiration so much that she wouldn't tell them. I can see that happening very easily. Madam Speaker, I would like to pose a question to the Chair to the good Representative, Representative Thompson.

The SPEAKER: The Representative may pose his question.

Representative WATERHOUSE: Thank you. Representative Thompson you just talked about the friend had to be an adult. Could that adult be the boyfriend of the girl who got her pregnant?

The SPEAKER: The Representative from Bridgton, Representative Waterhouse has posed a question through the Chair to the Representative from Naples, Representative Thompson. The Chair recognizes that Representative.

Representative THOMPSON: Thank you Madam Speaker. There is no definition of who the next friend is.

The SPEAKER: The Chair recognizes the Representative from Crystal, Representative Joy.

Representative JOY: Madam Speaker, Ladies and Gentlemen of the House. I have not spoken on the two previous bills involving abortion and I don't think that there is any person in this House who doesn't know what my position is on abortion. I am very much opposed to them. In this particular bill, we see one more step to try to bring about the erosion of the family in this country, particularly in this instance, in the State of Maine. Eventually, all parental family groups are headed for destruction in one way or another. What better way to achieve this division and eventual destruction of the family by allowing minors the ability to have things done or seek advice outside of their parents and the family structure? I think that it was one of our less famous Communist rulers who said, if I can separate one generation of Americans from their parents, I can destroy America. What better way to try to undertake that than in this idea, which is a very emotional issue to say the least.

There are other things that are taking place in our world that lead us to have this discussion every two years or in some instances much more often. Since *Roe vs. Wade* in 1973, as of two years ago, there has been 34 million abortions performed in this country. I don't know how many of those might have been teenagers. I don't know if those statistics are out there or not. Out of the 34 million, I am certain very, very many of those were performed on teenagers and many of them without the parents knowledge. We have a serious problem facing us and there are many ways that people are attacking our society. Almost every Legislature in the country has had a doctor-assisted suicide or euthanasia bill in front of it. I have already mentioned the 34 million abortions since 1973. The ultimate aim of certain people in this world is to reduce the world population to about 2 billion people. I would be happy to provide the information on that at some other time.

Let's consider the ways that these are being done. First of all, abortions are prevalent worldwide. Second, the euthanasia provision. Third, we have the first major worldwide epidemic that has never been quarantined and the end result of that appears to be death. Couple that with this expansion that we have had in recent years on the liberalization of abortion. I think you can see where we are headed. I urge you to defeat the pending motion and accept the "Ought to Pass." Thank you.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Rowe.

Representative ROWE: Madam Speaker, Men and Women of the House. I urge you to support the pending "Ought Not to Pass" motion. I understand the reasoning set forth by the Representative from Madawaska for putting the bill in. His

concern, the next friend of the minor, but I would just point out that under current Maine adult involvement law that the minor or the next friend of the minor can submit the petition to the court for purposes of applying to majority right to consent to an abortion. The court must make certain findings before the court decides to grant those majority rights. Included in the evidence that the court must hear, it includes the emotional development, maturity, intellect and understanding of the minor, the nature of possible consequences and alternatives to that abortion and any other evidence that the court may find useful in determining whether the minor should be granted majority rights for the purpose of consenting to an abortion or whether the abortion is in the best interest of the minor. There is a hearing on this. This evidence is considered. If the court determines, the court can grant the petition for majority rights if the court finds that the abortion is in the best interest of the minor.

No law can safely or sensibly mandate good family communications. We know there are circumstances when a minor chooses, for very good reasons, not to involve a family member in this decision. Maine's current adult involvement law provides an alternative to that, which I think supports young women in making responsible informed decisions. It is a good law. It is working. Judges take a lot into consideration for allowing a minor to consent to abortion. The counseling that is required under Maine's adult involvement law is required whether there is adult involvement or not. If you are not familiar with the counseling, I would ask you to look at the statute because the counseling is fairly extensive that is required when a minor wishes to have an abortion under Maine law. I am not sure what this bill seeks to do, but I do know that current law in this regard is very good. It has been recognized as a national model. It is serving the purpose. For all the reasons, I would strongly request that you vote for the pending motion of "Ought Not to Pass." Thank you.

The SPEAKER: The Chair recognizes the Representative from Farmingdale, Representative Watson.

Representative WATSON: Madam Speaker, Men and Women of the House. I rise today to speak in opposition to LD 662. As a member of the Judiciary Committee, I am on the Majority "Ought Not to Pass" vote. I firmly believe in a woman's constitutional right to determine when she will have a family and our guarantee for her health and life and privacy in making those decisions. I firmly believe that we live in a very much less than ideal world and this Legislature passed in 1989 Maine's adult involvement law, which you have heard referred to by the previous speaker. It guarantees adult involvement and guides us in cases where a young woman cannot go to her parents for whatever reason. This has worked well in Maine and has been used as a model in other states.

Many individuals initiating this legislation are associated with the Maine Right to Life Committee, the Christian Civic League and other antichoice groups. This legislation is not supported by medical groups, family physicians, therapists, youth advocates, groups fighting the abuse of children and other groups traditionally concerned with helping teens and their families. Judicial bypass system proposed in LD 662 does not provide support for teens in a dangerous family. According to Maine law the legal purpose of consent hearings is not protection of teenagers from abuse. Courts and courthouses are public places and the judicial bypass system does not protect the confidentiality of a teenager, but rather requires her to have contact with an average of at least 23 people before a ruling is made. Engaging in this traumatic and time consuming system or avoiding it increases a teens risk of maybe, possibly, a second trimester abortion and subsequent health problems.

Physicians, by their choice, may request parental consent to make certain that they either get paid for their services or to guard themselves against malpractice suits. Public health experts know that confidentiality is a critical factor in a minor seeking reproductive health care including birth control services and prevention and treatment of sexually transmitted diseases. In my own family, which included a daughter, we always try to encourage our children and to instill in them the value of taking responsibility for their own physical health. They were always encouraged as they got older to seek out information from qualified sources in regard to any concerns they had in taking care of themselves. Their health was more important to myself and my husband than any parental jurisdiction that we may not have wanted to advocate to someone else.

Again, the health and safety of our children should be our concern here today. I urge you to please join me in the "Ought Not to Pass" on LD 662. Thank you.

The SPEAKER: The Chair recognizes the Representative from Norridgewock, Representative Meres.

Representative MERES: Madam Speaker, Ladies and Gentlemen of the House. I rise today to ask you to defeat the motion on the floor and to support parental notification. I don't care if I am the last person standing alive and the whole world opposes me there is nothing in me that will not work, to my last breath, to protect the right of the family and to protect children because I think that it is outrageous to believe that parents should be denied notification of something that is traumatically happening to their child unless that parent or that family has proven in a court of law that they are incapable of doing that. I think it is a God given right, over and above anything in this House, that parents have to protect their children. I cannot believe for one minute that anything that we are saying here should override that right. I don't believe that this says that parents should give their consent even. It is just to notify them. I don't belong to any special groups. I am just a parent. If I did belong to a special group that promoted this, so what. I have a right to that.

I also know from experience that having children that they are not always going to be lovable. They are not always going to be easy to manage. They are not always going to come to their parents right away. They are going to be sad. That is just a fact of life. I also know from personal experience what happens when a child is involved in a trauma. I can say without a doubt that I am very, very happy that there were people there to console my child when that happened. I wouldn't deny that for a minute. I can't be everywhere and I can't be that wise, that I would not want someone else who was there to do the right thing for my child. However, I think I have a right eventually to know what happened. I am the one that is going to be responsible for dealing with the aftermath of whatever happens. Don't tell me that when someone has an abortion that they don't mourn and that they aren't depressed and they don't act out. They do. I think that there is nothing in my body and in my spirit that will tell me that the government should be the mother of my child over and above me. Thank you.

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Stevens.

Representative STEVENS: Madam Speaker, Men and Women of the House. Years ago, when I was a minor, my mother was a legislator here and she helped write the Maine adult involvement law. The one that stands today. While I was growing up, my mother greatly respected me and my privacy and by treating me this way, I involved her in all serious decisions that I had to make. I confided in her, trusted her and I love her and I still do to this day. Not all women in Maine enjoy such freedom and such functional families. Some families, if they

were to learn of a young woman's pregnancy, might not be compelled to support her or her decision. They might encourage her to have an abortion and they might encourage her to carry a pregnancy to term. They might want her to drop out of school, quit her job or move away and go to Europe for nine months. In other families the adult guardian might not be so sympathetic. They might feel compelled to punish the young woman, maybe beat her up or worse. Maybe the father of the young woman is the cause of the pregnancy. It happens. It happens in Maine.

Currently, my mother prosecutes child abuse cases for the Attorney General. We read about these situations. I use these examples to illustrate that young women in functional families like ours probably all of us, do involve their parents in serious decisions. They trust their parents. They discuss things with their parents. They love their parents. These women are safe. These women are not the ones who need protection. The Maine women who need protection and privacy are not in functional families. If this bill were to pass, young women would have the choice, or not the choice of whether or not to get an abortion, but whether or not which back alley abortionist might not provide this procedure without parental consent. Women will find ways around the parental consent law if it were to pass. Please join me and help protect our Maine women who survive in dysfunctional families, but give them the respect and the freedom to involve the adult of their choice. The father and mother might not always be that adult. The Maine adult involvement law works. Maine women are educated consoled, prayed for and consulted through this law.

Please accept the Majority "Ought Not to Pass" Report and support the law that was designed by my mother and the people who came here before us and let the law stand. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Baker.

Representative BAKER: Madam Speaker, Men and Women of the House. I don't think there is any more important issue before us today than the strengthening of Maine families. In healthy families, daughters and sons will inform parents of a pregnancy. They will, together, discuss options. Unfortunately, not all families are capable of meeting the needs of their members. We know of families riddled with alcohol. We know of families riddled with physical and emotional abuse. We know of families riddled with incest. We know of families riddled with mental illness. Teens from these dysfunctional families will be most damaged by the proposed parental notification law. Teens who choose not to involve their parents, about 25 percent, make the decision usually because their parents are unable, or unwilling, to be supportive or because the family relationship is already troubled. These teens often rightfully fear verbal, physical or sexual abuse by a parent and sometimes they have never met the parents. As horrendous as it sounds, sometimes fathers have fathered their own grandchildren. We must work to strengthen Maine families, all of us, without putting Maine teens, those in unhealthy families, further at risk. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bridgton, Representative Waterhouse.

Representative WATERHOUSE: Madam Speaker, Ladies and Gentlemen of the House. I couldn't agree with the last speaker more. The point is, we have a judicial bypass in this bill that will take care of all those situations that she is referring to. We don't take that out of present law. I heard the good Representative Watson say and I think I heard her right, she said that medical groups were opposed to this type of legislation. It is interesting that parents can't be informed, but they can pay the medical bills as the good Representative from the 117th, who debated this on the floor, Representative Roger Pouliot said.

They don't want me to know, but it's okay if we pay the medical bills.

In reference to what Representative Rowe queried to earlier. He doesn't know the point behind this bill. The point, in my eyes, is to let parents be informed along with the young girl's boyfriend who may have gotten her pregnant and taken her to the abortionist and given her the concealing or whatever. We constantly hear about women making mature choices. We are not always talking about women here. We are talking about 14 year olds, 13 year olds and maybe even 12 year old. In the 117th, Representative Layton talked about his young daughter, even younger than that. We hear about extreme cases of child abuse and nonsupportive parents. Let's give those parents who would support their daughter a chance to know.

For those of you who are interested in the Supreme Court's stand on this in *Casey vs. Pennsylvania*, not only did they uphold informing the parents, but they upheld a statute that said that parental consent for a minor was legal and constitutional. We are talking about parental notification. I urge you to defeat the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Standish, Representative Mack.

Representative MACK: Madam Speaker, Great Honorable Men and Women of the House. The question before us is who should be in charge of children? Should parents be in charge and know about what goes on with their children? I say yes. There is also another question. I often hear of abortions being safe, legal and rare, but how rare are they, really? One-third, about 30 percent, of the total number of pregnancies end in abortion and about one-half of abortions are to women under the age of 25 and one-half of abortions are to woman who have had previous abortions. This is definitely not rare, in my opinion. Abortions are used as birth control. A girl goes out, the pill fails, the condom fails and don't worry, you can have an abortion. Your parents don't even have to know about it. Please support this amendment and vote against the Majority "Ought Not to Pass" so we can encourage some parental involvement and hopefully stamp out some promiscuity and have these girls think twice.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Rowe.

Representative ROWE: Madam Speaker, Colleagues of the House. Who should be in charge of children? Certainly parents should. But responsible parents should and not parents who abuse children, coerce them, demean them and at certain times even impregnate them. I do not think they should be in charge of their children. That is why we have this law. I talked about concealing earlier. The concealing that is required under the current Maine law, which requires the provision of alternative choices available for managing the pregnancy including carrying the pregnancy to term and placing the child with a relative or another family member through foster care or adoption. It also includes the discussion of the possibility of involving the minor's parent, guardian or other adult family members in the minor's decision and exploring whether the minor believes that involvement would be in the minor's best interest.

As Representative Stevens said, this bill was well thought out. It has been in place of a while. It works. You can't legislate family communications. I know all of us who have spoken feel strongly that if our child became pregnant, we would expect our child to come to us, talk with us, look for guidance and we would deal with this together with our God and with our family. All families aren't like that. I just implore you for those families and for those children, this law works. It doesn't need changing. Thank you.

The SPEAKER: The Chair recognizes the Representative from Mapleton, Representative Desmond.

Representative DESMOND: Madam Speaker, Men and Women of the House. I am afraid this bill is too encompassing. Parents are responsible for their children. They should know what is going on with their children, but not all do. Having an abortion is such a traumatic situation, just knowing that you have terminated a life. It must be overwhelming. We all have our ghosts, but for the most part our ghosts are over minor things that we wish we had done or had not done. I would not want my child to make a decision that could affect her whole life. Depression has a devastating affect on health and personality and that is very real. Children do want parental approval and may be too embarrassed or afraid to include their parents in their decisions. This can happen in the very best of families. Children just want their parents to like them and to approve of what they do. They go to others who don't care as much for their welfare. Our society needs to support families. That means helping parents to help their children. I am afraid that this bill would take away the right of too many parents by just considering a few. Thank you.

Representative AHEARNE of Madawaska requested a roll call on the motion to accept the Majority "Ought Not to Pass" Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Bremen, Representative Pieh.

Representative PIEH: Madam Speaker, Ladies and Gentlemen of the House. I wanted to respond to Representative Perkins' question about when do you not tell the parents. I had the dubious pleasure of running a group home for eight years for children ages 12 to 18. I had in that home children that were victims of abuse, incest, alcoholism and drug abuse. I had a child who had watched the father kill the mother and then kill himself. I had a child who had accidentally shot her sister. I had a child who later became a murderer. Every one of those children, I tried to work with their families and I can tell you that those families were not the appropriate help. What our current law does is it gives appropriate help to people who are in this kind of a situation. I even had a family that placed their child in care because she was out of control. When the courts went to them, this is a wealthy family, you will pay us \$200 a month towards your child's control and also for care. The family refused. The message that child got is what is love worth. I think we need to love our children and extend our concept of what a healthy family is so that we can help take care of these children that are in dire straits. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Glenburn, Representative Winn.

Representative WINN: Madam Speaker, Ladies and Gentlemen of the House. I have bit my tongue for a couple of days now about speaking on this issue. Like many of you, it is a very personal and significant issue to me. I, in particular, have two young daughters. Many of you have met them. One is 12 and one is 17, two girls. I have a lot of concerns about parental involvement. I think parents should be involved. I think we have a right to know. I want to respond, in particular, to some comments that have been made about mourning. The argument seems to be that, if people have an abortion there is going to be a mourning period and therefore the parents have the right to know in order to protect the child from going through that mourning period. I heard mourning talk on Thursday, also. Yes, I understand people that have had an abortion do have psychological affects as a result of it. I want to say, however, that there are a lot of parents and a lot of women who give birth

to children and mourn for the birth of their child also and that hasn't been discussed.

My oldest daughter is 17 and is quite severely learning disabled. If the truth was known, I probably mourned over that every single day of her life for 17 years. It is a great pain and a great anguish. On the other hand, 17 years ago, I was allowed to make the decision as to whether I was going to give birth to this handicapped child. It was probably the most difficult decision that I have ever had to make in my life, but I was allowed to make that decision. What I am trying to point out to you, ladies and gentlemen of the House, is that there are no good answers. You mourn if you have the abortion and you mourn if you give birth. It is a difficult decision and I think that government needs to stay out of it as much as possible and let the people decide.

I have a concern that if we pass this into law, LD 662, that it will be too constrictive. When I was pregnant with my daughter I was 24 years old. I could not talk to my parents about it. There was nobody nearby that I could talk to about it. I reached out and I found some friends and I did some soul searching and I came to the decision on my own. I don't think it is right to insist that people of any age, whether they are over 21 or under 21, that they be forced to talk to their parent, judge or a relative. In some situations it just doesn't work. No, I was not from an abusive family and no, my family was not ultraconservative, but I could not talk to my mother about that. I probably couldn't talk to her today if it happened again. I would say as a parent of two young teenage daughters and for anybody else who is concerned in promoting this whole issue of parental notification and the parents should be involved and the parents have a right to know what is going on what I suggest you do is do what I do and what I think any caring parent would do and that is to keep track of when children are having their period and what they are doing. I suggest the time to know what is going on is before the child gets pregnant and not to cry out that all of a sudden you don't know what is going on when you have been ignoring your children for months and years and years. All of a sudden, then, you try to insist that you have a right to know. The time to know what your daughters are doing is before they get pregnant. Thank you very much.

The SPEAKER: A roll call has been ordered. The pending question before the House is Majority "Ought Not to Pass" Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 93

YEA - Bagley, Baker CL, Baker JL, Barth, Berry RL, Bigl, Bodwell, Bolduc, Brennan, Brooks, Bruno, Buck, Bull, Bunker, Cameron, Carleton, Chizmar, Cianchette, Colwell, Cowger, Davidson, Dunlap, Etnier, Fisher, Fuller, Gagne, Gagnon, Gamache, Gooley, Green, Hatch, Jabar, Jones KW, Jones SL, Jones SA, Kerr, Labrecque, LaVerdiere, Lemaire, Lemke, Lemont, Lindahl, Lovett, Mailhot, Marvin, Mayo, McKee, Mitchell JE, Morgan, Murphy, Muse, Nickerson, O'Neal, O'Neil, Paul, Peavey, Pendleton, Perkins, Pieh, Pinkham RG, Poulin, Povich, Powers, Quint, Rines, Rowe, Sanborn, Savage, Saxl JW, Saxl MV, Shannon, Shiah, Skoglund, Spear, Stevens, Taylor, Tessier, Thompson, Townsend, Tripp, Usher, Volenik, Watson, Wheeler GJ, Winn, Wright, Madam Speaker.

NAY - Ahearne, Belanger DJ, Belanger IG, Berry DP, Bouffard, Bragdon, Bumps, Campbell, Chick, Clark, Clukey, Cross, Desmond, Dexter, Donnelly, Driscoll, Dutremble, Foster, Frechette, Gerry, Gieringer, Honey, Joy, Joyce, Joyner, Kasprzak, Kneeland, Lane, Layton, MacDougall, Mack, Madore, McAlevey, McElroy, Meres, Nass, Perry, Pinkham WD, Plowman, Richard, Samson, Sirois, Snowe-Mello, Stanley,

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Stedman, Tobin, Treadwell, Tuttle, Underwood, Vedral, Vigue, Waterhouse, Wheeler EM, Winglass, Winsor.

ABSENT - Chartrand, Farnsworth, Fisk, Goodwin, Kane, Kontos, O'Brien, Ott, True.

Yes, 87; No, 55; Absent, 9; Excused, 0.

87 having voted in the affirmative and 55 voted in the negative, with 9 being absent, the motion to accept the Majority "**Ought Not to Pass**" Report was accepted and sent up for concurrence.

Bill "An Act to Include Slide-in Truck Campers in Property That May Be Included in the Trade-in Allowance Credit" (H.P. 62) (L.D. 87)

- In House, Minority "**Ought to Pass**" as amended Report of the Committee on **Taxation** read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-68) on March 31, 1997.

- In Senate, Majority "**Ought Not to Pass**" Report of the Committee on **Taxation** read and accepted in non-concurrence. TABLED - April 10, 1997 (Till Later Today) by Representative KONTOS of Windham.

PENDING - Further Consideration.

On motion of Representative TRIPP of Topsham, the House voted to Insist and ask for a Committee of Conference.

By unanimous consent, all matters having been acted upon were ordered sent forthwith.

On motion of Representative CAMERON of Rumford, the House adjourned at 12:05 p.m., until 9:00 a.m., Tuesday, April 15, 1997.