

# MAINE STATE LEGISLATURE

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**House of Representatives**  
**One Hundred and Twentieth Legislature**  
**State of Maine**

**Volume I**

**First Regular Session**

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Pages 1-889

O'Brien JA, Paradis, Perry, Pineau, Pinkham, Sherman, Snowe-Mello, Stanley, Tobin J, Trahan, Treadwell, Tuttle, Usher, Waterhouse, Weston, Wheeler EM, Winsor, Young.

ABSENT - Ash, Bagley, Baker, Brannigan, Bunker, Fisher, Goodwin, Hutton, Landry, Marrache, Murphy E, Stedman.

Yes, 94; No, 45; Absent, 12; Excused, 0.

94 having voted in the affirmative and 45 voted in the negative, with 12 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act to Require Parental Notification of Abortion"

(H.P. 1125) (L.D. 1494)

Signed:

Senators:

RAND of Cumberland

McALEVEY of York

FERGUSON of Oxford

Representatives:

LaVERDIERE of Wilton

BULL of Freeport

JACOBS of Turner

MITCHELL of Vassalboro

MUSE of South Portland

SIMPSON of Auburn

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-234)** on same Bill.

Signed:

Representatives:

MADORE of Augusta

WATERHOUSE of Bridgton

SHERMAN of Hodgdon

MENDROS of Lewiston

**READ.**

Representative LaVERDIERE of Wilton moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The **SPEAKER**: The Chair recognizes the Representative from North Berwick, Representative MacDougall.

Representative **MACDOUGALL**: Mr. Speaker, Ladies and Gentlemen of the House. As most of you know, I have been married for several years to my wife Pat and we have raised five children. In fact, at the end of June, my youngest will be graduating from high school. As you know, the challenges of parenting are many, but one of the most important qualities we teach our children is the ability to make informed ethically based and balanced decisions. Willing to perceive the consequences of decisions and the following actions they propagate, both good and bad is imperative if they are to participate affectively in the world. Some common examples of this are found in how they spend their money, manage their time for school, activities and work and how they plan for their post high school years. Not all decisions are equal in importance, nor are all decisions appropriate for children to make by themselves. This bill is a reasonable measure that is designed to put someone in the position of proper authority in a minor girl's life so they can help her navigate through what will be the biggest decision of her young life. If this bill were to pass, the parent, relative or judge cannot prevent this young lady from having an abortion. It merely provides an opportunity for a sometimes scared, uncertain young lady to have guidance from those who care the most about her.

There are several reasons I would like to deposit to the body tonight for passing this. First, there is the inconsistency in our laws. She cannot be given an aspirin at school without parental approval. She cannot be dismissed from class without parental approval. There are report cards and other assessment tools provided to the parent with knowledge of her academic progress. She cannot go on a field trip without written permission from a parent. Additionally, labor law is very stringently drafted to protect children from harm. If they work too many hours, their schoolwork will suffer, their health will be impacted and the chance of injury on the job increases. These decisions are made for young people because they are not mature enough to make proper judgment in all things and that is the way it should be.

Second, minor girls who have secret abortions are, in actuality, having a surgical procedure performed. If complications arise, they cannot receive treatment for these complications without parental approval. This is incredible. A minor girl can get an abortion without parental knowledge, but cannot receive medical treatment for the complications that may arise without parental approval. Why should a minor girl be able to have this particular surgical procedure performed without parental notification when virtually all other medical arenas require parental approval?

Third, when young people make the large decisions in their life, i.e., what college to attend, what job to take, how many hours for extracurricular activities and work, etc., it is normal for their parents to guide, direct and suggest appropriate responses to these challenges. If there is a mistake made in these areas, there is usually room to learn from that and make a correction or change direction. In the case of a minor girl's unplanned pregnancy, however, the importance of parental knowledge is exponentially increased. This can be a time of crisis for the girl. She may be frightened and not see any alternative to her problem or she may be unaware of better alternatives if she acts unilaterally. Without the opportunity for parental guidance, her decision will be made without the benefit of their wisdom. Unlike a decision she could regret from choosing the wrong college or job, this decision lasts forever. The life inside her will be gone forever. She is at higher risk of emotional damage because of the lack of emotional support of her parents at the most critical time of her life.

I received an e-mail some time ago from a physician some in Maine. I would like to read it to you. "Dear Representative, When it comes to abortion, many legislators do not want to interfere with the relationship between a woman and her doctor. As a physician, I know that abortionists have no relationship with their victims. They often do not talk to them or look them in the eye. They will never see their patient again. As a family physician, I see the aftermath. Abortionists have abandoned every principle that we went to medical school for. Abortion is not a medical decision. It is a social decision. I did not receive any classes or training in medical school on the indications for an abortion. There are none. The abortion industry continues to use medical terms and fictitious scenarios to convince us that legal abortion is necessary.

Terms like woman's health, reproductive rights and pro-choice say nothing about what is at stake. These terms are misleading and false. What is at stake is the life of a child.

I have dedicated my life to preserving human life. Human life begins at conception. The tiny group of cells in a woman's womb is a living, feeling, growing human being!

Abortion poses a serious threat to such a woman's well being. There are many possible medical complications such as uterine perforation, infection, serious bleeding, infertility and missed fetal tissue. These are not that uncommon even in the most careful settings. Abortion increases a woman's chance of

developing breast cancer by 50 percent. She also has a 30 percent increased rise of premature delivery in her next pregnancy. This is due to the weakening of the uterine cervix. Prematurity is devastating for a newborn.

The most feared complication of abortion is the well-known, post-abortion syndrome. This is a mental illness similar to post traumatic stress disorder where the woman will have recurring nightmares and obsessive thoughts relating to the abortion. She becomes depressed, anxious and often loses the ability to maintain intimate relationships. She often turns to substance abuse. Someone very close to me is suffering from this disorder, 18 years after her abortion."

I know, ladies and gentlemen, some of us disagree on the issue of abortion. What this bill does is it simply says that we are going to inform, not have parental permission, parental notification in what is the most serious issue and time in a young lady's life. If the young lady wants to have her ear's pierced, she cannot do so without one of her parent's permission. Again, the reason is to protect her and keep her out of harm's way. If piercing the body part is considered invasive, medically speaking, then why isn't the surgical procedure of abortion considered invasive, thereby requiring the minimal requirement of parental notification? Thank you.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Laverriere-Boucher.

Representative **LAVERRIERE-BOUCHER**: Mr. Speaker, Ladies and Gentlemen of the House. The present law already addresses the requirement of an informed written consent of the minor and one parent, guardian, adult family member or counseling by an approved counselor.

I do not agree with the wording of LD 1494 because it requires notification as opposed to informed written consent from a parent. I am not comfortable with this wording because it fails to initiate a dialogue. This bill also limits the choice of an adult or relative to be notified.

Also, this bill requires that a pregnant girl who is underage go to court to testify against her parents if she believes they have been abusive to her. This would be the avenue she would need to choose if she did not feel safe telling her parents. I find this requirement abusive in itself. This could cause a strain or sever the girl and her parent's relationship still further. The present law allows the girl to choose an adult without going through the court system.

An example of where LD 1494 may not be appropriate is if a pregnant girl is living in foster care or a group home and remains in the custody of her biological parents. Putting a pregnant girl through this court process could be very harmful and not in her best interest and not needed under the present law. This pregnant girl would have to criminalize her parents to be given permission to talk to another family member that she probably has no relationship with. Her comfort lies with her foster parent or her group home worker.

Please vote against LD 1494. It criminalizes pregnant girls who do not have a safe family life. Thank you.

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

Representative **WATERHOUSE**: Mr. Speaker, Ladies and Gentlemen of the House. Number one, the bill does not require parental consent, just parental notification. The three issues that were mentioned in previous bills that we heard really as we started this evening's session was the Constitution, the people and a woman's choice. This bill, of all the bills, we will hear tonight dealing with abortion issues, to me, is the most straightforward and the easiest one for anyone to support whether they are pro-life or pro-choice.

Number one, it is entirely constitutional. There are a number of states that require, not just parental notification, but actually require parental consent. The world is not coming to an end in those states. The people, there have been polls taken on this for those who watch polls. Over three quarters of the people, even whatever state you look at, a national poll or a state poll, vastly support parental notification. Again, we are talking about parental notification, not parental consent. Then we get down to a woman's choice. We are not talking about women. We are talking about minors. We are talking about children, in a lot of cases. We are talking about the present law and how sufficient it is. I argue that case. I think it is very inefficient. All the young minor needs is an adult accompanying them and a counselor. We had a debate in previous terms that I have served up here, we had this bill in front of us, where you could actually have the case where the boyfriend, who was an adult who got the minor pregnant could be one of those adults that accompanied the young minor for the abortion and that would be entirely sufficient under the present law.

We are talking about parental involvement. We are talking about parental rights. We are talking about your right as a parent with a young daughter to know, not to give your consent to have the daughter do something like this and the good Representative from North Berwick listed a litany of things that right now you have parental consent required for a minor to have certain things done that would be a lot less intrusive and dangerous than an abortion on a minor.

Let's put this in a personal context if we can. Imagine yourself with a young daughter, you are not abusing that young daughter, you have a loving relationship with that daughter, but that young daughter has great respect of you. You raised her with some moral standards and for whatever reason, she feels as though she has fallen short of those moral standards. She doesn't want to embarrass you. She doesn't want you to be ashamed of her. She has her boyfriend or her counselor, whoever that is, take her in for an abortion. We are not talking about a woman. We are talking about a young minor, a young girl who has to live with that decision for the rest of her life. At some point, the parent is going to find out about it. It may be you. You might sit here and say it would never happen to me, either you don't have a daughter or your daughter is old and married now or you have a young daughter, but she would never do that. You feel confident with your relationship with her that she would come to you. What if she was in that situation where she didn't want to embarrass you or be ashamed and you found out later that she had one of these people accompanying her to have an abortion and you found out she didn't come to you and if she had, your grandchild would be alive instead of dead.

This is not one of those far out in the fringe issues. This is right in the mainstream of public opinion. It doesn't seem to be up here. I guarantee you that if this issue got out of here in a referendum or a citizen initiative, it would pass with flying colors, because the parents, by enlarge, want to know what is happening to their children. Thank you.

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

Representative **WATSON**: Mr. Speaker, Men and Women of the House. I am rising this evening to support the Ought Not to Pass on LD 1494. Although we would all ideally like to believe that parents should be involved and some of us do believe that they should be involved in a minor's decision to terminate a pregnancy. In fact, most minors do include their parents in that decision. Statistics are showing that predominately the younger the young woman is, the more likely she is to include her parents. We know that there are some circumstances, such as incestuous or abusive homes, obviously, when telling a parent

that the teenage daughter is pregnant could clearly put her in danger.

I would like to also point out that there are even more instances when a good daughter would be in fear of telling her parents, who have extremely high expectations and standards or whose own personal beliefs around abortion, may conflict with the daughters own decisions.

In 1989, the 114<sup>th</sup> Legislature faced this issue. At that time, Representatives from both sides of choice issue worked tirelessly to come up with a law that everyone could live with. Hence, the Adult Involvement Law came to be. The Adult Involvement Law is actually a parental consent law. However, for those young women who are not able to talk to their parents about these matters, the Adult Involvement Law allows them to seek permission from another adult family member, a judge or to receive options and counseling from a certified counselor. The counselor must be a physician, an RN, a nurse practitioner, etc. and it is spelled out that the counselor must address very specific issues with the minor, to have an abortion or to carry the pregnancy to term. The minor may withdraw her decision to have an abortion at any time before the abortion is performed or that she may reconsider a decision not to have an abortion at any time within the time period during which an abortion may be legally performed. The counselor must fully explore with the minor the alternative choices that she has for managing her pregnancy, including the pregnancy to term and keeping the child, carrying the pregnancy to term and placing the child with a relative or with another family through foster care or the possibility of adoption and provide a list of agencies available to help her with economic and other assistance for those options including the elements of prenatal and postnatal care and also having an abortion. The counselor must also explain that public and private agencies are available to provide her with birth control information and a list of those agencies and services are available for each and will be provided at her request. The counselor must discuss the possibility of involving the minor's parents, guardians or other adult family members in the minor's decision making process concerning her pregnancy and explore whether or not the minor feels that such involvement would be in her best interest. The counselor must also provide adequate opportunity for the minor to ask questions concerning her pregnancy, abortion, child care, adoption and provide her with the information she seeks or if the information cannot be provided, where the minor can receive such information.

This law has become a model for the rest of the country. With Connecticut's Legislature adopting a very similar law shortly after Maine's passed. The law clearly serves to protect the best interest of the minor. To change the law that LD 1494 proposes by excluding the counseling bypass would only serve to potentially harm minors who are already facing a scary and difficult situation.

As a lawmaker, I feel strongly that the laws must be designed to protect the health and welfare of our citizens. Maine's Adult Involvement Law does just that. The current law provides support and counseling to vulnerable teens who cannot, for whatever reason, talk to their parents about this difficult issue. If we passed LD 1494 and mandatory parental notification, we would be placing teens at further risk than they already are. States that have passed similar laws have seen the number of second trimester abortions increase. The number of teens traveling, often alone, long distances to other states who do not have such restrictive laws has increased also. The health and psychological risks of mandatory parental notification consent laws are great. For that reason, the American Medical Association, the American Academy of Pediatrics, the American Public Health Association, the American College of Obstetricians

and Gynecologists and a number of other health organizations oppose laws that attempt to mandate family communication. For these reasons, I will vote in support of the Ought Not to Pass of LD 1494. Thank you.

The SPEAKER: The Chair recognizes the Representative from Poland, Representative Snowe-Mello.

Representative **SNOWE-MELLO**: Mr. Speaker, Ladies and Gentlemen of the House. I stand here today to please ask you to not support the Majority Report. Some of the points that have come up here, I just cannot believe. First of all, parents are the natural guardians of their children and have the strongest interest in doing what is best for their minor daughter. Remember, the child is a minor. I get tired with this. There is another Representative that says that a lot. I get tired. I get really tired of hearing about the few bad parents that are not the best parents, but you know what, there is a majority of good, decent, loving, wonderful parents out there that deserve the right and deserve and have the rights of their own to include the right to know if medical procedures are to be performed on their children.

Let me give you this scenario. What if there is a complication in this abortion and this child winds up in the hospital? Then we are going to notify that parent. You think that is the best time for a parent to know. Another point that was brought up, in fact, was a guardian can make that choice. Maybe the child feels uncomfortable talking with their parents. Guess what! Kids have always usually felt uncomfortable talking with their parents, but they might be very surprised to know that in a crisis, an emergency, mom and dad are going to be there for them through thick or thin they will be there for them. I feel this is so important to give our parents a chance to know about what has happened to their child and let them make that decision with their daughter. They are the parents. We have taken so much away from that roll. Someone said to me in jest, why don't we just lower the age from 18 to 10 or 11? That is what it seems to me that we are doing here. These kids have all this power. Kids are kids. They often do not know what is best for them, but parents do. Let's give the good parents out there the chance to be involved with their children. Please support the Minority Report. Thank you.

The SPEAKER: The Chair recognizes the Representative from Frenchville, Representative Paradis.

Representative **PARADIS**: Mr. Speaker, Men and Women of the House. I have been waiting for the opportune time to weigh in on this issue and I think this is as good as any. I think this is a forthright bill that does consider the family, the family unit and the importance of the parents. It also provides, if there is fear of physical, sexual or emotional abuse from the parent, that the pregnant girl may also consult a grandparent, step-parent, sister or brother who is 21 years of age or older. I think that is important also. The bill also provides alternative procedures whereby the minor may seek court approval for the proposed abortion and establishes the procedures for a judicial review and appeals.

I would also like to mention that I come from an area where most Democrats are very pro-life. I speak not only for myself, but for those people as well. In fact, most of Aroostook County is pro-life Democrats or Republicans. Many years ago we used to, the Democratic Party, used to man a booth at the northern Maine fair, a pro-life booth. We had many reactions for young women over there going by the booth and seeing the exhibits that a lot of them broke down. It was clear that many had made a bad decision that they were very evidentially regretting. I think maybe some of them had not talked to their parents about this and if they had, you know the results might have been very different. I think times have changed a lot. The parents, by enlarge, are much more understanding about unwanted

pregnancies. As a schoolteacher, I have seen it. I have seen parents come in and weigh very heavily for life. They chose for life where their daughter also chose for life for the good of everybody. I would urge you to vote with the Minority Ought to Pass Report. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Hampden, Representative Duprey.

Representative **DUPREY**: Mr. Speaker, Men and Women of the House. I would like to first thank my mother for not aborting me. She was a teenager faced with a tough decision. I am thankful there wasn't a Legislature in the state she was in who has a law similar to this because I would have got sucked into a sink for sure. She was able to go to her parents to make a choice. The choice was to have me and I thank her and thank God for that. I hear talking about these are young women. These are little girls. They are young women. We want to think women and little girls can just walk away from this responsibility of parenting by simply aborting. Unfortunately, this is not true. Sucking your baby into a sink can lead to a big time mental problem. You see, I am pro-life, but I really care about women. I am on the board of directors of a pregnancy center. We provide counseling for women who have post-abortion stress syndrome. I could tell you story after story what these women go through. It breaks my heart. The women who have had abortions as minors, it is a far reaching impact. I just cannot believe what these people go through. You see when you have no parent to turn to, the mental problems set in. They have this abortion and no parent to talk to because the parent is unaware when these mental problems start setting in leading to depression and suicide. How many teenage girls have committed suicide because they had an abortion and had no parent to talk to about the situation. Guess what, we will never know because it is not reported. There are no medical records kept on which girls had abortions because we wouldn't allow that. That one family member, adult counselor, the person who knocked the girl up, whoever it was that gave the permission, that person . . .

The **SPEAKER**: Will the Representative please defer? The Chair recognizes that this is an emotional debate, but would ask members to restrict their remarks to the pending motion and to the bill before us first. Second of all, try as best they can to remove extraneous or inappropriate remarks based on the actions and the motives of others or the things, which might be considered incendiary from their remarks. The Representative may proceed.

Representative **DUPREY**: Mr. Speaker, Men and Women of the House. My apologies Mr. Speaker, but I have no idea what you are talking about. I will continue on and I am almost done. In my opinion, I was just telling the truth. Sometimes the truth hurts. We don't want to accept the truth in here.

I will close with this until I get ruled out of order. The reason I am so passionate about this is, I can't really go on about it, but I have two children that we were told to abort because of medical problems. I know this isn't the question at hand, but now you know why I am so passionate. We decided to have them because that is the right thing to do. Neither one of them were born with medical problems. Now you know why I am so passionate. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Auburn, Representative Shields.

Representative **SHIELDS**: Mr. Speaker, Ladies and Gentlemen of the House. I am going to speak to you, not as a physician, although there are medical issues involved here. I will speak to you as a parent. I think the current motion is unthinkable if you have a daughter. I have two of them. When a minor child, a daughter gets in trouble, she needs help and support. She doesn't need to turn to strangers who may

manipulate her. She needs good guidance and to avoid the psychological problems that will not occur later. Children can be misguided. Parents need to know what is going on. There are anecdotal evidences of peculiar circumstances, which might make you think that perhaps everybody ought to be on their own. I say, don't interfere with the family. Most families are very good. Their relationships are fine. I would urge you to vote against the current motion. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Cummings.

Representative **CUMMINGS**: Mr. Speaker, Ladies and Gentlemen of the House. One of the great joys of being a Maine high school teacher for almost a decade and a half has been to see young men and women of this state, with the support of their families grow into mature adults and make our state proud. One of the sad parts of being a high school teacher is acknowledging that many of our children are not so blessed. This proposal, I wish that we lived in a world where this proposal was good public policy. Unfortunately, it is not. The government cannot mandate good communication between parent and child or even a safe relationship, sadly enough, between parent and child. For those who have been sexually abused, it is quite accurate as is heard here today that not all are and others are abused in other ways as well. For those who are, only 16 percent of sexually abuse survivors tell anyone about the incident. To force a victim to negotiate with attorneys and judges when the situation is that complex, where a crisis has occurred, is not good public policy and may be even deemed cruel. Because we live in less than ideal world, the Legislature passed in 1989, Maine's Adult Involvement Law, it is a reasonable and balanced approach, which assures that the good parents may be involved, but that some adult will definitely be involved. This has worked well in Maine and has been, as you have heard, for other states. I urge you today to support the Ought Not to Pass on this proposal.

The **SPEAKER**: The Chair recognizes the Representative from Biddeford, Representative Twomey.

Representative **TWOMEY**: Mr. Speaker, Men and Women of the House. I would like to speak about a perfect world that we are not living in and the responsibility that I have as a parent to my two sons, two boys who are growing up in my home and in the perfect world asked and sat down with my two sons and talked about abstinence and talked about the preferred method, which would have been abstinence, but in the real world and having worked at the high school with students, I know what can happen. My responsibility to my two sons was to talk about safe sex, not to promote it, but to talk about protection and responsibility and about love, about how beautiful love can be when you find that right person. They took me very seriously, to the point that we had open communication. That is good parenting. That isn't with everyone. It isn't a perfect world and there are young women who don't have that kind of upbringing and young men who don't have that kind of upbringing. That is what this is about. Please vote Ought Not to Pass thank you.

The **SPEAKER**: The Chair recognizes the Representative from Arundel, Representative Daigle.

Representative **DAIGLE**: Mr. Speaker, Ladies and Gentlemen of the House. I am sure when many of us began our legislative service we realized that we hardly knew enough to really do this job responsibly and may have looked to the wisdom of others. That was certainly my pattern. I found this quote that I have kept with me. It reads as follows. "You do not examine legislation in the light of the benefits it will convey if properly administered. In the light of the wrong it would do and the harm it would cause if improperly administered." That is the philosophy I see applied in the forest now. I know that we cannot legislate a proper relationship between a child and their parent. I

know a perfect world is not available to us. I understand the frustrations we feel when we wish that our daughters would come to us. I know mine didn't. I know that I could not find in a series of nouns and verbs that would have made it any better. I don't think this bill before us today would have made it any better either. It is very difficult for me to say this, but I urge all of us to support the pending majority opinion because the harm it would convey outweigh the benefits it might not.

Representative SAXL of Portland **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**: 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. 78**

**YEA** - Berry RL, Blanchette, Bliss, Brooks, Bruno, Bull, Canavan, Chizmar, Colwell, Cowger, Crabtree, Cummings, Daigle, Dorr, Dudley, Dugay, Dunlap, Duplessie, Estes, Etnier, Fisher, Fuller, Gagne, Gerzofsky, Green, Hall, Hatch, Hawes, Jacobs, Jodrey, Jones, Kane, Koffman, Labrecque, LaVerdiere, Laverriere-Boucher, Ledwin, Lemoine, Lessard, Mailhot, Marley, Mayo, McDonough, McGlocklin, McGowan, McKee, McLaughlin, Michaud, Mitchell, Murphy T, Muse C, Muse K, Norbert, Norton, Nutting, O'Brien LL, O'Neil, Peavey, Perkins, Povich, Quint, Richard, Richardson, Rines, Rosen, Savage, Schneider, Simpson, Skoglund, Sullivan, Tarazewich, Tessier, Thomas, Tracy, Twomey, Usher, Volenik, Watson, Wheeler GJ, Mr. Speaker.

**NAY** - Andrews, Annis, Belanger, Berry DP, Bouffard, Bowles, Bryant, Buck, Bumps, Carr, Chase, Chick, Clark, Clough, Collins, Cote, Cressey, Davis, Desmond, Duncan, Duprey, Foster, Glynn, Gooley, Haskell, Heidrich, Honey, Kasprzak, Lovett, Lundeen, MacDougall, Madore, Matthews, McKenney, McNeil, Mendros, Michael, Morrison, Nass, O'Brien JA, Paradis, Patrick, Perry, Pineau, Pinkham, Sherman, Shields, Smith, Snowe-Mello, Stanley, Tobin D, Tobin J, Trahan, Treadwell, Tuttle, Waterhouse, Weston, Wheeler EM, Winsor, Young.

**ABSENT** - Ash, Bagley, Baker, Brannigan, Bunker, Goodwin, Hutton, Landry, Marrache, Murphy E, Stedman.

Yes, 80; No, 60; Absent, 11; Excused, 0.

80 having voted in the affirmative and 60 voted in the negative, with 11 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

The **SPEAKER**: On the record. The Chair would take a point of parliamentary procedure in Mason's Legislative Manual. My intention in interrupting the previous debate was not to embarrass any member, but to maintain the order of the House. Under Mason's rule 123, there are nine separate items discussing disorderly words used in debate. In Section 121, it discusses the nature of debate and how you should proceed in a debate. I understand from speaking from the chair that this is a very emotional debate where many folks have very emotional ties. I expect that to inform this debate. What I ask the members to do, I think you have done an excellent job thus far, is as you debate this difficult matter to consider the Order of the House as a whole and to try your best to pace yourself through your remarks through the rest of this evening's debate.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act to Amend the State's Abortion Reporting Law"

(S.P. 543) (L.D. 1689)

Signed:

Senators:

RAND of Cumberland  
McALEVEY of York  
FERGUSON of Oxford

Representatives:

LaVERDIERE of Wilton  
BULL of Freeport  
JACOBS of Turner  
MITCHELL of Vassalboro  
MUSE of South Portland  
SIMPSON of Auburn

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-103)** on same Bill.

Signed:

Representatives:

MADORE of Augusta  
WATERHOUSE of Bridgton  
SHERMAN of Hodgdon  
MENDROS of Lewiston

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

**READ.**

Representative LaVERDIERE of Wilton moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative WATERHOUSE of Bridgton **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**: 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. 79**

**YEA** - Belanger, Berry RL, Blanchette, Bliss, Bouffard, Brooks, Bruno, Bryant, Bull, Bumps, Canavan, Chizmar, Collins, Colwell, Cote, Cowger, Crabtree, Cummings, Daigle, Dorr, Dudley, Dugay, Dunlap, Duplessie, Estes, Etnier, Fisher, Fuller, Gagne, Gerzofsky, Gooley, Green, Hall, Hatch, Hawes, Honey, Jacobs, Jodrey, Jones, Kane, Koffman, Labrecque, LaVerdiere, Laverriere-Boucher, Ledwin, Lemoine, Lessard, Lovett, Mailhot, Marley, Mayo, McDonough, McGlocklin, McGowan, McKee, McKenney, McLaughlin, McNeil, Michael, Michaud, Mitchell, Murphy T, Muse C, Muse K, Nass, Norbert, Norton, Nutting, O'Brien JA, O'Brien LL, O'Neil, Peavey, Perkins, Povich, Quint, Richard, Richardson, Rines, Rosen, Savage, Schneider, Shields, Simpson, Skoglund, Smith, Sullivan, Tarazewich, Tessier, Thomas, Tracy, Trahan, Twomey, Usher, Volenik, Watson, Wheeler GJ, Mr. Speaker.

**NAY** - Andrews, Annis, Berry DP, Bowles, Buck, Carr, Chick, Clark, Clough, Cressey, Davis, Desmond, Duncan, Duprey, Foster, Glynn, Haskell, Heidrich, Kasprzak, Lundeen, MacDougall, Madore, Matthews, Mendros, Morrison, Paradis, Patrick, Perry, Pineau, Pinkham, Sherman, Snowe-Mello, Stanley, Tobin D, Tobin J, Treadwell, Tuttle, Waterhouse, Weston, Wheeler EM, Winsor, Young.

**ABSENT** - Ash, Bagley, Baker, Brannigan, Bunker, Chase, Goodwin, Hutton, Landry, Marrache, Murphy E, Stedman.

Yes, 97; No, 42; Absent, 12; Excused, 0.