

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Thirtieth Legislature
State of Maine

Daily Edition

First Special Session
beginning April 28, 2021

beginning at Page 385

Senator **CARNEY**: Thank you, Mr. President and colleagues of the Senate. I just rise briefly to observe that there is no legitimate State policy that justifies forcing a healthcare provider to give false and dangerous information to her patient. I urge my colleagues to support the pending Ought Not to Pass motion.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Keim.

Senator **KEIM**: Thank you, Mr. President. I rise in opposition to the pending motion. According to the American Medical Association, informed consent to medical treatment is fundamental in both ethics and law. Patients have the right to receive complete information and ask questions about recommended treatments to that they can make well-considered decisions about their care. Successful communication in the patient-physician relationship fosters trust and support shared decision making. This bill amends the abortion informed consent laws that require healthcare professionals to tell the pregnant woman that they may - that it may be possible to reverse the effects of an abortion inducing drug with medication and treatment. Some women who take Mifepristone, a progesterone receptor antagonist, in order to terminate their pregnancy change their minds and desire to stop the medical abortion process. Opponents to this bill insist that it's impossible, and even dangerous, to reverse the effects of an abortion inducing drug. A study published in issue of Law and Medicine Volume 33 No. 1 - 2018 says differently. This was an observational case series of 754 patients who decided to attempt to reverse the medical abortion process after taking Mifepristone but before taking the second drug in the protocol Misoprostol. The study followed the patients who were given progesterone in an effort to reverse the effects and conducted statistical analysis to determine the efficacies of different protocols compared to a control survival rate derived from the literature. The results showed that intramuscular progesterone and high dose oral progesterone were the most effective with a reversal rate of 64% and 68% respectively. There was no apparent increased risk of birth defects. The study concluded that the reversal of the effects of Mifepristone using progesterone is safe and effective. Progesterone is a naturally occurring hormone produced by the corpus luteum and by the placenta and is essential for maintenance of the maternal fetal interface of pregnancy. It has been used safely in pregnancy for over 50 years. The American Society of Reproductive Medicine states that no long-term risks have been identified when progesterone is used in pregnancy. The FDA has given progesterone a category B rating in pregnancy, in contrast to synthetic progestins.

L.D. 851 will ensure that women will have the ability - will be able to have full, informed consent when contemplating taking an abortion inducing drug protocol. Please reject the motion and support informed consent.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Ought Not to Pass Report. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#422)

YEAS: Senators: BAILEY, BALDACCI, BENNETT, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

23 Senators having voted in the affirmative and 12 Senators having voted in the negative, the motion by Senator **CARNEY** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Conform State Funding to the Federal Hyde Amendment Limiting Funding for Some Abortion Services"

H.P. 671 L.D. 915

Reported that the same **Ought Not to Pass**.

Signed:

Senators:

CARNEY of Cumberland
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner
BABBIDGE of Kennebunk
CARDONE of Bangor
EVANGELOS of Friendship
McCREIGHT of Harpswell
MORIARTY of Cumberland
RECKITT of South Portland
SHEEHAN of Biddeford

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-671)**.

Signed:

Senator:

KEIM of Oxford

Representative:

POIRIER of Skowhegan

(Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought Not To Pass** Report.)

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

Senator **CARNEY** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

On motion by Senator **POULIOT** of Kennebec, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Keim.

Senator **KEIM:** Thank you, Mr. President. It is my great fortune to speak again in favor of life and I will just be reading a short note that was written by a constituent of mine, that she sent to me. 'I'm opposed to this bill and I ask - no, I'm in favor of this bill and I ask that you vote yes. This is not what taxpayer funds should be used for. I hold that abortion is murder. I do not want to contribute to the murder of innocent babies. Sincerely, Kathleen.' I urge you to reject the pending motion.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Ought Not to Pass Report. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#423)

YEAS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME

22 Senators having voted in the affirmative and 13 Senators having voted in the negative, the motion by Senator **CARNEY** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act To Amend the Maine Bail Code Regarding Certain Conditions of Release and the Maine Criminal Code Regarding Warrantless Arrests"

H.P. 812 L.D. 1134

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-703)**.

Signed:

Senators:

CARNEY of Cumberland
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner
BABBIDGE of Kennebunk
CARDONE of Bangor
EVANGELOS of Friendship
McCREIGHT of Harpswell
MORIARTY of Cumberland
RECKITT of South Portland
SHEEHAN of Biddeford

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Senator:

KEIM of Oxford

Representatives:

HAGGAN of Hampden
POIRIER of Skowhegan

(Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought To Pass as Amended** Report.)

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-703)**.

Reports **READ**.

Senator **CARNEY** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report, in concurrence.

On motion by Senator **POULIOT** of Kennebec, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#424)

YEAS: Senators: BAILEY, BALDACCI, BREEN, BRENNER, CARNEY, CHIPMAN, CLAXTON, CURRY, DAUGHTRY, DESCHAMBAULT, DIAMOND, DILL, HICKMAN, LAWRENCE, LIBBY, LUCHINI, MAXMIN, MIRAMANT, RAFFERTY, SANBORN, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BENNETT, BLACK, CYRWAY, DAVIS, FARRIN, GUERIN, KEIM, MOORE, POULIOT, ROSEN, STEWART, TIMBERLAKE, WOODSOME