

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fifth
Legislature*

OF THE

STATE OF MAINE

Volume II

May 5, 1971 to June 15, 1971

KENNEBEC JOURNAL
AUGUSTA, MAINE

Laws" (H. P. 821) (L. D. 1095) reported "Ought to pass" as amended by Committee Amendment "A" (H-276) submitted therewith.

Mr. Wood from the Committee on Transportation on Bill "An Act to Repeal Obsolete Laws and Correct Errors and Inconsistencies in the Motor Vehicle Laws" (H. P. 1064) (L. D. 1471) reported "Ought to pass" as amended by Committee Amendment "A" (H-277) submitted therewith.

Reports were read and accepted and the Bills read twice, Committee Amendment "A" to each was read by the Clerk and adopted, and tomorrow assigned for third reading of the Bills.

Divided Report

Majority Report of the Committee on Health and Institutional Services reporting "Ought to pass" on Bill "An Act relating to Voluntary Surgery at Public Expense for Qualifying Parents" (H. P. 928) (L. D. 1282)

Report was signed by the following members:

Mrs. PAYSON of Falmouth
Mr. DYAR of Strong
Mrs. McCORMICK of Union
Mr. CLEMENTE of Portland
Mrs. DOYLE of Bangor
Mrs. CUMMINGS of Newport
Mr. SANTORO of Portland
— of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Messrs. HICHENS of York
MINKOWSKY
of Androscoggin
GREELEY of Waldo
— of the Senate.
Mr. LESSARD of Lisbon
Mrs. BERRY of Madison
Mr. LEWIS of Bristol
— of the House.

Reports were read.

On motion of Mrs. Payson of Falmouth, the Majority "Ought to pass" Report was accepted.

The Bill was read twice and tomorrow assigned.

Divided Report

Majority Report of the Committee on Health and Institutional Services reporting "Ought not to pass"

on Bill "An Act relating to Prescribing Contraceptive Methods to Minors without Parental Consent" (H. P. 958) (L. D. 1319)

Report was signed by the following members:

Messrs. HICHENS of York
MINKOWSKY
of Androscoggin
GREELEY of Waldo
— of the Senate.
Mrs. BERRY of Madison
Mr. LESSARD of Lisbon
Mrs. McCORMICK of Union
Messrs. DYAR of Strong
LEWIS of Bristol
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Mrs. CUMMINGS of Newport
Mrs. PAYSON of Falmouth
Mrs. DOYLE of Bangor
Mr. CLEMENTE of Portland
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentlewoman from Newport, Mrs. Cummings.

Mrs. CUMMINGS: Mr. Speaker, I move that we accept the Minority "Ought to pass" Report and would speak briefly.

The SPEAKER: The gentlewoman from Newport, Mrs. Cummings, moves that the House accept the Minority "Ought to pass" Report.

The gentlewoman may proceed.

Mrs. CUMMINGS: Mr. Speaker and Members of the House: Before the debate starts on this I wish that you would all look carefully at the bill. All it does is protect the doctors who have already made up their minds that some of these young girls need help. They are already giving help to the girls that have come to them for advice and this merely gives them immunity so that they are not subject to being sued by anyone. And this is all the bill does.

Please don't try to obscure it by making it anything to do with license or libertarianism, that means freedom. It has nothing to do with that. This is actually a bill to protect the doctors who consider this serious enough to already take

chances, and now I would like to see that they get some protection.

The SPEAKER: The Chair recognizes the gentlewoman from Madison, Mrs. Berry.

Mrs. BERRY: Mr. Speaker and Members of the House: I think it merely gives a minor a chance of having a contraceptive; that is what it looks to me. At the hearing the proponents of the bill were all Family Planning social workers from the Bangor area. There were a couple of doctors from the Bangor area. We have had a number of letters from the Bangor area. It seems to be a Bangor bill for some reason.

Further, they talk about the generation gap. I think it would further broaden this considerably.

The SPEAKER: The Chair recognizes the gentlewoman from Bangor, Mrs. Doyle.

Mrs. DOYLE: Mr. Speaker and Ladies and Gentlemen of the House: I rise to support Mrs. Cummings' bill and I would like to point out to those of you who are opposed to abortion reform that if this bill was passed it would most certainly eliminate the need or request for many abortions. Teenagers who are sexually active will continue to be so with or without protection for their actions.

The passage of this bill, which is supported by Family Planning Clinics throughout the state, would help to prevent the birth of unwanted illegitimate babies to girls who are too young to care for them. It would also stem the tide of forced teenage marriages which are noted for their instability and high divorce rate.

The argument that this type of legislation tends to break up the family unit and further alienate teenagers from their parents is untenable, because minors seeking this help are already alienated from their families and need protection and help from professionals in society.

The SPEAKER: The Chair recognizes the gentleman from Stockton Springs, Mr. Shute.

Mr. SHUTE: Mr. Speaker and Members of the House: I rise to oppose this piece of permissive legislation. After talking to a number of people on this piece of legisla-

tion they have all had the same response — that this was ridiculous, shocking and immoral legislation, and I must say I share their feelings. We have heard testimony here that there were no opponents to this bill at the hearing. Well, ladies and gentlemen, I submit to you that the reason there were no opponents at the hearing on this bill is that the people of this state did not take this piece of legislation seriously.

There was a barrage of social welfare workers speaking for this bill and one of the reasons given for passage of this legislation was that some teenagers were for this and it would cut down the number of unwanted children, and be less offensive mentally to these teenagers.

I wonder, Mr. Speaker, if this Legislature has the right to pass laws contrary to the moral laws that have guided this civilization for hundreds of years, disregarding the wishes of the vast majority of the people of this state in favor of a very small minority that find our present social laws unacceptable.

I fear this legislation would continue dividing our children from their parents, placing this responsible position in the hands of doctors that cannot be held responsible for the action of every child in this state.

If there are parents that are dissatisfied with the present age restrictions for obtaining contraceptives, let these parents issue out these contraceptives and not involve this Legislature in changing these timely moral laws.

It may be hard to believe in this time of rapid social change, but there are still a number of people in my district that attend church on Sunday and firmly believe that the responsibility of raising a family should be left with the parents and not delegated to persons that are not responsible.

So I hope that you will accept the Majority Report and vote against the Minority "Ought to pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Norway, Mr. Henley.

Mr. HENLEY: Mr. Speaker and Members of the House: I just want

to make a comment on this type of legislation. I feel that we are putting the cart before the horse on a lot of legislation. We seem to find difficulty in enforcing laws so we try to change the law to accommodate whatever society decides they want to do; and this is one of those pieces of legislation. It is like a lot of the others that we are asked to do and I am in complete agreement with Mr. Shute. I hope you will vote against the Minority "Ought to pass" Report and accept the Majority "Ought not to pass."

Mr. Bailey of Woolwich requested a roll call.

The SPEAKER: The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentlewoman from Newport, Mrs. Cummings, that the House accept the Minority "Ought to pass" Report. If you are in favor of accepting the "Ought to pass" Report you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEA — Baker, Bither, Bourgoin, Brown, Bustin, Churchill, Clark, Clemente, Cooney, Cottrell, Cummings, Curtis, T. S., Jr.; Dow, Doyle, Faucher, Finemore, Goodwin, Hancock, Hardy, Haskell, Lucas, Lund, MacLeod, Manchester, Marsh, Marstaller, McCloskey, McKinnon, Mills, Norris, Orestis, Parks, Payson, Porter, Pratt, Ross, Scott, Simpson, L. E.; Slane, Smith, D. M.; Smith, E. H.; Stillings, Susi, Tanguay, Vincent, Wheeler, Whitson, Woodbury.

NAY — Albert, Ault, Bailey, Barnes, Bartlett, Bedard, Bernier, Berry, G. W.; Berube, Bragdon, Brawn, Call, Carey, Carrier, Carter, Conley, Cote, Curtis, A. P.; Cyr, Dam, Drigotas, Dyar, Emery, E. M.; Farrington, Fecteau, Fraser, Gagnon, Gauthier, Genest,

Good, Hall, Hawkens, Hayes, Henley, Herrick, Hewes, Immonen, Jutras, Kelleher, Kelley, K. F.; Keyte, Kilroy, Lawry, Lebel, Lee, Lessard, Lewin, Lincoln, Littlefield, Lizotte, Lynch, Maddox, Martin, McCormick, McNally, Millett, Mosher, Page, Rand, Rocheleau, Rollins, Shaw, Sheltra, Shute, Simpson, T. R.; Theriault, Trask, Tyndale, Webber, White, Wight, Williams, Wood, M. W.; Wood, M. E.

ABSENT — Berry, P. P.; Binnette, Birt, Boudreau, Bunker, Collins, Crosby, Curran, Donaghy, Dudley, Emery, D. F.; Evans, Gill, Hanson, Hodgdon, Jalbert, Kelley, P. S.; Kelley, R. P.; Lewis, Mahany, McTeague, Morrell, Murray, O'Brien, Pontbriand, Santoro, Silverman, Starbird

Yes, 48; No, 74; Absent, 28.

The SPEAKER: Forty-eight having voted in the affirmative and seventy-four in the negative, with twenty-eight being absent, the motion does not prevail.

Thereupon, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on Health and Institutional Services reporting "Ought to pass" on Bill "An Act relating to Testing of Private Water Supplies by Department of Health and Welfare" (H. P. 1264) (L. D. 1668)

Report was signed by the following members:

Messrs. HICHENS of York
MINKOWSKY
of Androscoggin
GREELEY of Waldo
— of the Senate.
Mr. LEWIS of Bristol
Mrs. DOYLE of Bangor
Mrs. PAYSON of Falmouth
Mrs. CUMMINGS of Newport
Mr. SANTORO of Portland
— of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

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