

MAINE STATE LEGISLATURE

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The Secretary called the Roll with the following result:

ROLL CALL

YEAS: Senators: ABROMSON, AMERO, BUTLAND, CATHCART, CLEVELAND, DAGGETT, GOLDTHWAIT, HARRIMAN, KILKELLY, LAWRENCE, LONGLEY, MILLS, MITCHELL, PENDLETON, PINGREE, RAND, SMALL, TREAT

NAYS: Senators: CAREY, CASSIDY, FERGUSON, JENKINS, KIEFFER, LAFOUNTAIN, LIBBY, MACKINNON, MICHAUD, MURRAY, NUTTING, O'GARA, PARADIS, RUHLIN, THE PRESIDENT PRO TEM - RICHARD A. BENNETT

ABSENT: Senators: BENOIT, HALL

Senator **SMALL** of Sagadahoc requested and received leave of the Senate to change her vote from NAY to YEA.

18 Senators having voted in the affirmative and 15 Senators having voted in the negative, with 2 Senators being absent, the motion by Senator **LONGLEY** of Waldo to **ACCEPT** Report "A", **OUGHT NOT TO PASS** in **NON-CONCURRENCE**, **PREVAILED**.

Sent down for concurrence.

Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Require a 24-hour Waiting Period before an Abortion May Be Performed" H.P. 490 L.D. 661

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

Signed:

Senators:

LONGLEY of Waldo
LAFOUNTAIN III of York
BENOIT of Franklin

Representatives:

THOMPSON of Naples
WATSON of Farmingdale
ETNIER of Harpswell
MAILHOT of Lewiston
JABAR, SR. of Waterville
POWERS of Rockport
NASS of Acton

The Minority of the same Committee on the same subject reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-165)**.

Signed:

Representatives:

PLOWMAN of Hampden
MADORE of Augusta
WATERHOUSE of Bridgton

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

Which Reports were **READ**.

Senator **MICHAUD** of Penobscot moved the Senate **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-165)** Report in **NON-CONCURRENCE**.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Cumberland, Senator Rand.

Senator **RAND:** Thank you Mr. President, ladies and gentlemen of the Senate. I move that we reject the minority Ought to Pass report so that we can go on to accept the majority Ought Not to Pass. This is a bill that would require a 24 hour waiting period for a woman before she can have an abortion. I believe that we should put our faith and trust in the women of this state. They have thought long and hard before they came to this very difficult decision and we should not be imposing further restrictions and further upsetting them in this very difficult time period that they are going through. I would urge you to reject the Ought to Pass as proposed.

THE PRESIDENT PRO TEM: The Chair recognizes the Senator from Androscoggin, Senator Cleveland.

Senator **CLEVELAND:** Thank you Mr. President, men and women of the Senate. This issue of a waiting period has been one that has been debated within these bodies on several occasions. Maine law currently is structured, and is a model for the country as a matter of fact, in the process that it uses for women and their families in making those decisions about terminating a pregnancy. Unfortunately, this is one of those circumstances where this 24 hour period is not a process by which it facilitates making that decision. Current law currently requires a process that requires some reflection and counseling. This is always a difficult decision, on whether or not to continue with the pregnancy or not. It's a decision that is not easily come by. It's a decision that's not done overnight. It's a decision that takes a period of time. To require a 24 hour waiting period would mean that women in more rural areas, more distant from health care, more distant from their doctors, would find it much more difficult in making that decision.

When a decision has been reached by a woman and her family that the termination of the pregnancy early on is the most appropriate action for them, that's a decision that's been thought over for a long period of time, and all of the options have been looked at and considered. This is a measure not to improve public policy, but one of those measures, once again, by those who find that decision to be made by an individual to be inappropriate. A decision in which they look for every opportunity to intrude in that decision, to make it more difficult, to create more

hurdles, to increase the anxiety within the family of a most difficult decision, and most of all, it would be a decision that would be particularly discriminatory against those women who come from more distant areas and who have already made that difficult decision over a long period of time and now would be forced, once again, to wait another 24 hours. I urge you not to support the motion.

On further motion by same Senator, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

ROLL CALL

YEAS: Senators: CAREY, CASSIDY, KIEFFER, MACKINNON, MICHAUD, MURRAY, PARADIS

NAYS: Senators: ABROMSON, AMERO, BUTLAND, CATHCART, CLEVELAND, DAGGETT, FERGUSON, GOLDTHWAIT, HARRIMAN, JENKINS, KILKELLY, LAFOUNTAIN, LAWRENCE, LIBBY, LONGLEY, MILLS, MITCHELL, NUTTING, O'GARA, PENDLETON, PINGREE, RAND, RUHLIN, SMALL, TREAT, THE PRESIDENT PRO TEM - RICHARD A. BENNETT

ABSENT: Senators: BENOIT, HALL

7 Senators having voted in the affirmative and 26 Senators having voted in the negative, with 2 Senators being absent, the motion by Senator MICHAUD of Penobscot to ACCEPT the Minority OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-165) Report in NON-CONCURRENCE, FAILED.

On motion by Senator RAND of Cumberland, the Majority OUGHT NOT TO PASS Report ACCEPTED, in concurrence.

Under suspension of the Rules, all matters thus acted upon were ordered sent down forthwith for concurrence.

Divided Report

The Majority of the Committee on JUDICIARY on Bill "An Act to Require Parental Notification for Minors Seeking Abortions" H.P. 491 L.D. 662

Reported that the same Ought Not to Pass.

Signed:

Senators:
LONGLEY of Waldo
LAFOUNTAIN III of York

BENOIT of Franklin

Representatives:

WATSON of Farmingdale
ETNIER of Harpswell
MAILHOT of Lewiston
JABAR, SR. of Waterville
POWERS of Rockport
THOMPSON of Naples

The Minority of the same Committee on the same subject reported that the same Ought to Pass as Amended by Committee Amendment "A" (H-166).

Signed:

Representatives:

PLOWMAN of Hampden
MADORE of Augusta
NASS of Acton
WATERHOUSE of Bridgton

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

Which Reports were READ.

Senator LONGLEY of Waldo moved the Senate ACCEPT the Majority OUGHT NOT TO PASS Report, in concurrence.

On further motion by same Senator, supported by a Division of at least one-fifth of the members present and voting, a Roll Call was ordered.

The Doorkeepers secured the Chamber.

The Secretary called the Roll with the following result:

ROLL CALL

YEAS: Senators: ABROMSON, AMERO, BUTLAND, CATHCART, CLEVELAND, DAGGETT, FERGUSON, GOLDTHWAIT, HARRIMAN, KILKELLY, LAFOUNTAIN, LAWRENCE, LONGLEY, MILLS, MITCHELL, NUTTING, O'GARA, PENDLETON, PINGREE, RAND, RUHLIN, SMALL, TREAT, THE PRESIDENT PRO TEM - RICHARD A. BENNETT

NAYS: Senators: CAREY, CASSIDY, JENKINS, KIEFFER, LIBBY, MACKINNON, MICHAUD, MURRAY, PARADIS

ABSENT: Senators: BENOIT, HALL

24 Senators having voted in the affirmative and 9 Senators having voted in the negative, with 2 Senators being absent, the motion by Senator LONGLEY of Waldo to ACCEPT the Majority OUGHT NOT TO PASS Report, in concurrence, PREVAILED.