

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "D" to S.P. 117, L.D. 318, Bill, "An Act to Protect Reproductive Privacy in Maine"

Amend the bill by inserting after the enacting clause the following:

'Sec. 1. 22 MRSA §1594, as enacted by PL 1977, c. 696, §186, is amended to read:

§1594. Failure to preserve life of live-born person

It is the public policy of the State that an abortion performed upon a pregnant woman after viability must be conducted in such a manner as to prevent the death of the unborn fetus, if at all possible. Whenever an abortion is to be performed after viability, under the limited circumstances permitted in this Title, the physician performing the abortion shall make provisions for a 2nd physician, qualified in pediatric medicine and possessing all other relevant qualifications, to attend the abortion for the purpose of caring for the fetus. The physician performing the abortion shall select an abortion technique that preserves and protects the life of the unborn fetus and, to the fullest extent possible, is calculated to produce a live fetus after the abortion has been completed. Nothing in this subsection requires the physician performing the abortion to employ any procedures or take any measures that pose a serious risk to the life of the mother.

Whenever an abortion procedure results in a live birth, failure to take all reasonable steps, in keeping with good medical practice, to preserve the life and health of the live born live-born person shall--~~subject~~ subjects the responsible party or parties to Maine state law governing homicide, manslaughter and civil liability for wrongful death and medical malpractice.'

HOUSE AMENDMENT "D" to S.P. 117, L.D. 318

2 Further amend the bill by renumbering the sections to read
consecutively.

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STATEMENT OF FACT

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8 This amendment requires an abortion to be performed in a
manner that is best calculated to preserve the life of the fetus
and requires that a 2nd physician be present to provide all
10 appropriate care to the fetus after birth.

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Filed by Rep. Murphy of Berwick
Reproduced and distributed under the direction of the Clerk of the
House
April 1, 1993 (Filing No. H-104)