

# MAINE STATE LEGISLATURE

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

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

Amend the bill by striking out all of sections 3 and 4 and inserting in their place the following:

Sec. 3. 22 MRSA §1599, as reallocated by PL 1979, c. 663, §133, is amended to read:

§1599. Informed consent to abortion

1. **Consent by the woman.** No physician shall perform an abortion unless, prior to the performance, the attending physician certifies in writing that the woman gave her informed, written consent, freely and without coercion. ~~He~~ The physician shall also certify that, not less than 48 ~~24~~ hours prior to her consent, ~~he~~ the physician informed the woman of the information contained in subsection 2. ~~He~~ The physician shall further certify in writing the pregnant woman's age based upon proof of age offered by her.

2. **Informed consent.** In order to insure that the consent for an abortion is truly informed consent, the attending physician shall inform the woman in a manner which, in ~~his~~ the physician's professional judgment, is not misleading and which will be understood by the patient, of at least the following:

A. According to ~~his~~ the physician's best judgment she is pregnant;

B. The number of weeks elapsed from the probable time of the conception, the probable anatomical and physiological characteristics of the unborn child at 2-week gestational increments from fertilization to full term, including pictures representing the development of unborn children at 2-week gestational increments, and any relevant information

2 on the possibility of the unborn child's survival. Any  
 4 pictures or drawings must contain the dimensions of the  
 6 fetus and must be realistic and appropriate to the woman's  
stage of pregnancy and must be objective, nonjudgmental and  
designed to convey only accurate scientific information  
about the unborn child at the various gestational ages;

8 C. The particular risks associated with her own pregnancy  
 10 and the abortion technique to be performed and the likely  
effects of the proposed abortion technique to be employed  
upon the unborn child's possibility of survival; and

12 D. Alternatives to abortion such as childbirth and adoption  
 14 and information concerning public and private agencies that  
 16 will provide the woman with economic and other assistance to  
 18 carry the fetus to term, including, ~~if the woman se~~  
 20 requests, a list of these agencies and the services  
available from each, a statement that even in instances when  
the father has offered to pay for an abortion, the father of  
the child is liable to assist in the support of the child  
 22 and a statement that the law permits adoptive parents to pay  
costs of prenatal care, childbirth and neonatal care.'

24 3. **Exception.** The ~~48-hour~~ 24-hour period required in  
 26 subsection 1 shall may not be required if an abortion is  
 28 immediately necessary to preserve the life or health of the  
 pregnant ~~women~~ woman.

### STATEMENT OF FACT

30 This amendment requires that enhanced information about the  
 32 gestational stage of a fetus and about the provisions of law  
 34 governing child support and adoption be provided to a pregnant  
 woman.

Filed by Rep. Vigue of Waterville  
 Reproduced and distributed under the direction of the Clerk of the  
 House  
 4/2/93 (Filing No. H-105)