

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 917

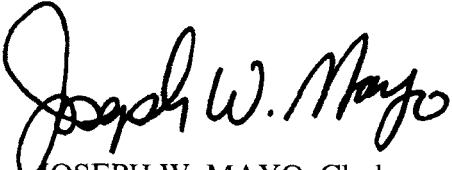
H.P. 661

House of Representatives, February 2, 1999

**An Act to Ban Partial Birth Abortion Except to Protect the Life or Health  
of the Mother.**

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Reference to the Committee on Judiciary suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative CAMERON of Rumford.

**Be it enacted by the People of the State of Maine as follows:**

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3           **Sec. 1. 22 MRSA §1598, sub-§1**, as amended by PL 1993, c. 61,  
4 §2, is further amended to read:

6

7           **1. Policy.** It is the public policy of the State that the  
8 State not restrict a woman's exercise of her private decision to  
9 terminate a pregnancy before viability except as provided in  
10 section 1597-A. After viability an abortion may be performed  
11 only when it is necessary to preserve the life or health of the  
12 mother. The intact dilation and evacuation method of abortion  
13 may not be performed after viability unless, in the medical  
14 judgment of the attending physician, the abortion is necessary to  
15 preserve the life or health of the mother. It is also the public  
16 policy of the State that all abortions may be performed only by a  
physician.

18

19           **Sec. 2. 22 MRSA §1598, sub-§2, ¶A**, as enacted by PL 1979, c.  
20 405, §2, is amended to read:

20

21           A. "Abortion" means the intentional interruption of a  
22 pregnancy by the application of external agents, whether  
23 chemical or physical or by the ingestion of chemical agents  
24 with an intention other than to produce a live birth or to  
25 remove a dead fetus. "Abortion" includes partial birth  
26 abortion.

28

**SUMMARY**

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31           This bill clarifies the definition of "abortion" to  
32 specifically state that it includes partial birth abortion. This  
33 change makes it clear that the state policy concerning  
34 post-viability abortions, prohibited except when the abortion is  
35 necessary to protect the life or health of the mother, applies to  
36 partial birth abortions.

38

39           The bill amends the policy statement to clarify that the use  
40 of the dilation and evacuation method of abortion after viability  
41 is restricted to only those situations in which the abortion is  
42 necessary to preserve the life or health of the mother.