

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 908

H.P. 627

House of Representatives, February 22, 2005

An Act To Protect Homosexuals from Discrimination

Reference to the Committee on Judiciary suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative DUPREY of Hampden.

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

4 **Sec. 1. 22 MRSA §1597-B** is enacted to read:

6 **§1597-B. Prohibited basis for abortion**

8 An abortion may not be performed when the basis for the
10 procedure is the projected sexual orientation of the fetus after
12 birth, based on analysis of genetic materials of the fetus in
14 which sexual orientation is identified through the presence or
16 absence of a so-called "homosexual gene."

18 **Sec. 2. 22 MRSA §1598, sub-§1**, as amended by PL 1993, c. 61,
20 §2, is further amended to read:

22 **1. Policy.** It is the public policy of the State that the
24 State not restrict a woman's exercise of her private decision to
26 terminate a pregnancy before viability except as provided in
28 ~~section~~ sections 1597-A and 1597-B. After viability an abortion
30 may be performed only when it is necessary to preserve the life
32 or health of the mother. It is also the public policy of the
State that all abortions may be performed only by a physician.

24 **SUMMARY**

26 This bill prohibits an abortion when the reason for the
28 termination of the pregnancy is the projected sexual orientation
30 of the fetus after it is born. The projected sexual orientation
32 would be determined by analysis of the genetic materials of the
fetus in which the projected sexual orientation is identified
through the presence or absence of a so-called "homosexual gene."