

MAINE STATE LEGISLATURE

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Handwritten initials "M.S."

L.D. 1575

DATE: 6/7/5

(Filing No. H-649)

JUDICIARY
Minority

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 1112, L.D. 1575, Bill, "An Act To Require Parental Notification of Teenage Abortions"

Amend the bill in section 6 in that part designated "~~\$1600-A.~~" in subsection 1 by striking out all of paragraph C (page 8, lines 5 to 7 in L.D.) and inserting in its place the following:

'C. In the physician's best judgment, the abortion is necessary for the preservation of the life or health of the pregnant minor.'

Further amend the bill by inserting after section 6 the following:

'Sec. 7. Appropriations and allocations. The following appropriations and allocations are made.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior, District and Administrative 0063

Initiative: Provides funds for an estimated 65 additional days for a District Court judge, an assistant law clerk, a security officer, court-appointed attorneys and other required expenses.

| GENERAL FUND | 2005-06 | 2006-07 |
|--------------------|-----------|------------|
| Personal Services | \$45,948 | \$62,790 |
| All Other | \$57,150 | \$76,200 |
| GENERAL FUND TOTAL | \$103,098 | \$138,990' |

COMMITTEE AMENDMENT

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SUMMARY

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This amendment is the minority report of the Joint Standing Committee on Judiciary.

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This amendment revises the exceptions to the parental notification requirements to provide an exception when, in the physician's best judgment, the abortion is necessary for the preservation of the life or health of the pregnant minor. This language is consistent with the health exception required under Stenberg v. Carhart, 530 U.S. 914 (2000), and is consistent with the decision invalidating the New Hampshire Parental Notification Prior to Abortion Act on the grounds that no health exception was included and the death exception was too narrow. See Planned Parenthood of Northern New England v. Heed, 390 F.3d 53 (1st Cir. 2004). The amendment also adds an appropriations and allocations section to the bill.

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FISCAL NOTE REQUIRED
(See attached)



122nd MAINE LEGISLATURE

LD 1575

LR 0302(02)

An Act to Require Parental Notification of Teenage Abortions

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Judiciary

Fiscal Note Required: Yes

Minority Report

Fiscal Note

| | 2005-06 | 2006-07 | Projections 2007-08 | Projections 2008-09 |
|-----------------------------------|-----------|-----------|------------------------|------------------------|
| Net Cost (Savings) | | | | |
| General Fund | \$103,098 | \$138,990 | \$143,855 | \$148,890 |
| Appropriations/Allocations | | | | |
| General Fund | \$103,098 | \$138,990 | \$143,855 | \$148,890 |

Fiscal Detail and Notes

This bill will result in an estimated 129 or more new civil cases in our court system and includes a General Fund appropriation to the Judicial Department of \$103,098 in fiscal year 2005-06 and \$138,990 in fiscal year 2006-07. This appropriation will provide funds for an estimated 65 additional days for a District Court judge, an assistant law clerk, a security officer and court appointed attorneys. Fiscal year 2005-06 has been adjusted to reflect the effective date of this legislation.