

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

216
ROBS

Date: 6/2/11

Minority

L.D. 116
(Filing No. H-469)

2

3

JUDICIARY

4

Reproduced and distributed under the direction of the Clerk of the House.

5

STATE OF MAINE

6

HOUSE OF REPRESENTATIVES

7

125TH LEGISLATURE

8

FIRST REGULAR SESSION

9

COMMITTEE AMENDMENT "A" to H.P. 98, L.D. 116, Bill, "An Act To Require
10 a 24-hour Waiting Period prior to an Abortion"

11

Amend the bill in section 1 in subsection 2 by striking out all of the last paragraph
12 (page 1, lines 26 to 28 in L.D.) and inserting the following:

13

'The attending physician may not perform an abortion upon a pregnant minor before 24
14 hours have passed since the physician has secured the informed written consent required
15 under this subsection, unless there is a medical emergency.'

16

A physician other than the attending physician may obtain the informed written consent
17 under paragraph A, B, C or D. The physician shall provide written certification of the
18 date and time that the informed written consent was obtained under paragraph A, B, C or
19 D, which the minor may provide to the attending physician to ensure that 24 hours have
20 passed since the minor gave her informed written consent before the abortion is
21 performed. The attending physician shall make the written certification part of the
22 medical record.'

23

Amend the bill in section 3 by striking out all of subsection 1-A (page 2, lines 7 to 9
24 in L.D.) and inserting the following:

25

'1-A. Twenty-four-hour period. Except in the case of a medical emergency, a
26 physician may not perform an abortion until 24 hours have passed after the woman gives
27 her informed written consent under subsection 1.'

28

A physician other than the attending physician may inform the woman as provided in
29 subsection 2 and then obtain the woman's informed written consent. The physician shall
30 provide written certification of the date and time that the information required under
31 subsection 2 was provided and the informed written consent was obtained, which the
32 woman may provide to the attending physician to ensure that 24 hours have passed since
33 she gave her informed written consent before the abortion is performed. The attending
34 physician shall make the written certification part of the medical record.'

COMMITTEE AMENDMENT

ROFS

SUMMARY

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

3 This amendment provides a pregnant minor or a pregnant woman the option of
4 receiving the required information and counseling from a physician other than the
5 physician who performs the abortion. The physician who provides the information or
6 counseling and obtains informed written consent shall certify in writing the date and time
7 of the providing of the information or counseling and the obtaining of the informed
8 written consent. The written certification may be provided by the pregnant woman or
9 pregnant minor to the attending physician, who shall make it part of the medical record.
10 The informed written consent must still be obtained at least 24 hours before the abortion
11 is performed, as required in the bill.

12 This amendment does not affect the medical emergency exception provided in the
13 bill.

FISCAL NOTE REQUIRED
(See attached)



ROFS

125th MAINE LEGISLATURE

LD 116

LR 293(02)

An Act To Require a 24-hour Waiting Period prior to an Abortion

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

Committee: Judiciary

Fiscal Note Required: Yes

Fiscal Note

No net fiscal impact

Correctional and Judicial Impact Statements

Potential to increase and decrease Class D crimes.

The impact on General Fund fine revenue is not expected to be significant.