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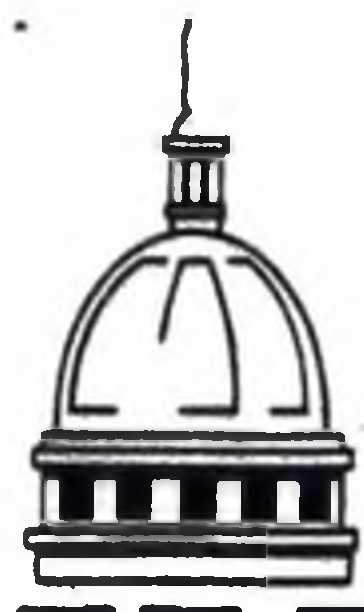
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Maine Women's Lobby

August 1989 • Number 6

LEGISLATIVE ALERT

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P.O. Box 15, Hallowell Maine 04347

The first Regular Session of the 114th Legislature came to a belated conclusion on July 1st -- nearly two weeks beyond its official statutory adjournment date.

The "Hurry up and wait" rule governed the process during the last three weeks, with the Appropriations Committee in marathon sessions handing out recommendations on literally hundreds of funding bills -- many of critical importance to both the Women's Lobby and the Women's Legislative Agenda Coalition (W.L.A.C.).

Given the pressure to grant some measure of property tax relief and the projected revenue shortfall announced by the Governor in early June, the outlook for many WLAC funding initiatives was bleak. While many bills did fall victim to severe budget constraints, important new programs -- most notably, Maine's \$20 million Health Care program for the un- and underinsured -- were ultimately approved, while existing programs -- including the Family Crisis Services, Rape Crisis Centers, and the Displaced Homemaker Projects -- received additional support. The budget crunch nevertheless took its toll, with most appropriations radically scaled down from original requests.

This edition of *Legislative Alert* provides a final wrap-up of Lobby-initiated bills, W.L.A.C. measures, and other bills of interest. We've also included, courtesy of Betsy Mahoney, attorney and lobbyist for the Maine Family Planning Association, a summary of the U.S. Supreme Court's Webster decision, and its impact on Maine.

Finally, we've provided a brief summary of the newly-established Maine Choice Coalition, and what we all can (and must) do over the summer to heighten the public profile of Maine's pro-choice majority. The next edition of this newsletter, to be published in the fall, will provide a progress report on the work of the Maine Choice Coalition -- and how you can get involved to prepare for the fight to preserve reproductive freedom next session.

To contact us during the months ahead write us at the address below, or call the Lobby office (open part-time during the summer and fall). Have a great summer!

Darrilyn Peters, M.W.L. President
Joanne D'Arcangelo, Lobbyist

Mail: Maine Women's Lobby
P.O. Box 15
Hallowell, ME 04347
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Legislators

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State House Station #2
Augusta, Maine 04333

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The following provides the final disposition of bills debated by the 114th Legislature. To request copies of legislation already signed into law, contact the Engrossing Dept., Maine State Legislature, State House Station #2, Augusta 04330 (289-1649). (Be sure to cite the Public Law Chapter number when requesting copies). Contact the Office of Legislative Information at 289-1692 for the P.L. Ch. numbers of L.D.s passed but not yet signed into law as of press time. To find out how your legislator(s) voted on an issue, contact the Legislative Information office to determine whether a roll call vote was taken on the L.D. To request copies of roll call votes, call the Office of the Clerk of the House (289-1400) or the Office of the Senate Secretary (289-1540). The MWL took a position to support a bill unless otherwise noted. (***) - Indicates WLAC Bill)

BILLS PASSED INTO LAW BY THE 114TH LEGISLATURE

AA TO ESTABLISH OCCUPATIONAL SAFETY AND HEALTH STANDARDS FOR OPERATORS OF VIDEO DISPLAY TERMINALS. (L.D. 661)

Sponsors: House Speaker John L. Martin, Sen. Titcomb of Cumberland, Rep. Rand of Portland, Rep. Ruhlin of Brewer.

Summary: Initiated by the MWL, this bill proposed user-adjustable workstations, flexible work schedules and annual eye examinations for individuals in VDT-intensive occupations. Despite the hard work and vigorous support of a majority of the Labor Committee, an amended version of the bill, though passed by a 50-vote margin in the House, suffered defeat by one vote in the Senate. A much watered-down version of the bill, revived in a last minute compromise, was passed, requiring large employers to conduct annual occupational safety training programs for their VDT workers. Though guaranteeing far less than originally proposed, this new law does place on the books a building-block for future reform -- and establishes a state policy recognizing the need for VDT worker protection and precautions (See "VDT Safety Project", Page 13.)

*** AA TO AMEND THE LAWS RELATING TO SEX OFFENSES, P.L. 1989, Ch. 401.

Sponsors: Rep. Patrick Paradis, Sen. Muriel Hollaway, Rep. Susan Farnsworth, Rep. Hastings of Fryeburg. (WLAC Sponsor: Maine Coalition on Rape).

Summary: This new law strengthens Maine's rape and sexual violence laws, enacted over 12 years ago, by clarifying definitions or raising classifications of crimes for behavior already defined as illegal. The new law raises to felony status the crime of having sexual intercourse or performing a sexual act with anyone under 18 if that person is a relative or under the guardianship of the perpetrating adult; raises the status of sexual assaults committed against any individual who is impaired and unable to give

meaningful consent; and make illegal the act of sexual intercourse between a psychiatrist (and certain other medical professionals) and a current patient.

***** AA TO ESTABLISH CHILD CARE AVAILABILITY FOR INDIVIDUALS IN THE SUBSTANCE ABUSE TREATMENT SYSTEM, L.D. 463.**

Sponsors: Rep. Clark of Brunswick, Rep. Chonko of Topsham, Sen. Clark of Cumberland, Sen. Perkins of Hancock. (WLAC Sponsor: N.O.W.)

Summary: Original draft proposed \$100,000 to fund a demonstration project for child care services and programming in a women's halfway house, and \$115,000 for 30 daycare vouchers for parents participating in either in-patient or extensive out-patient treatment services. Though the language included in the bill was passed, thereby establishing state intent to invest existing child care dollars in such programs, the funding provision was not approved.

AA RELATING TO CIVIL PENAL DAMAGES TO BE AWARDED IN CASES OF UNLAWFUL DISCRIMINATION, L.D. 504

Sponsors: Rep. Pat Paradis, Rep. Gerry Conley, Rep. Sue Farnsworth, Sen. Barry Hobbins.

Summary: Currently, a court can award a successful plaintiff \$1,000 in civil penal damages under the Maine Human Rights Act for the first violation of a respondent, \$2,000 for the second, and \$3,000 for the third. This new law will increase those damages to \$5,000, \$7,500, and \$10,000 respectively.

AA TO PROVIDE FOR DIVISION OF OMITTED MARITAL PROPERTY. P.L. 1989, Ch. 150

Sponsors: Rep. Melendy of Rockland, Rep. Allen of Washington, Rep. Crowley of Stockton Springs, Sen. Holloway of Lincoln.

Summary: In 1983, Congress granted to states the right to allocate a portion of a person's military retirement pension to that person's spouse upon divorce, but only if that divorce occurred after 1983. This bill will extend that benefit entitlement to spouses who divorced prior to 1983.

AA TO PROMOTE EQUITY IN THE COURT ADJUDICATION OF ALIMONY AWARDS, L.D. 656

Sponsors: Rep. Dore of Auburn, Rep. Clark of Brunswick, Sen. Brannigan of Cumberland, Sen. Holloway of Lincoln.

Summary: Identifies the factors a court must consider when determining an alimony award. Currently, the value of a woman's contribution to marital property, if she does not work outside the home, is not considered in an alimony determination. This new law will require courts to consider such non-monetary contribution.

AA TO ELIMINATE THE STATUTE OF LIMITATIONS IN CHILD MOLESTATION OR INCEST CASES, L.D. 282

Sponsors: Rep. Boutilier of Lewiston, Sen. Hobbins of York, Sen. Holloway of Lincoln, Rep. Burke of Vassalboro.

Summary: Does not actually eliminate statute of limitations, but postpones the running of the statute of limitation on the crime of incest and other sexual offenses involving children until 7 years after the survivor/victim has reached the age of 18.

AA PERTAINING TO BREAST CANCER

Sponsors: Sen. Nancy Clark, Sen. Barbara Gill, Rep. Peter Manning

Summary: Ensures that patients being treated for breast cancer are adequately informed by the physician or surgeon of the viable treatment alternatives available.

FUNDING INITIATIVES APPROVED AND PASSED INTO LAW

(L.D.s designated as WD/Part II were included in and approved as part of the state's Part II Budget for new and expanded programs. For comparison purposes, we have included in bill summaries both the amounts requested and amounts ultimately approved.)

AA TO REQUIRE PARENTAL CONSENT TO A MINOR'S ABORTION, L.D. 622

Sponsors: Rep. Carter of Winslow, Sen. Dutremble of York, Sen. Collins of Aroostook, Sen. Matthews of Kennebec.

MWL

Position: Opposed Original bill; No position on compromise version passed into law.

Summary: Amended version, endorsed by 12 of the 13 members of the Legislature's Judiciary Committee and ultimately passed by the full Legislature, provides for an informed consent/counselling process for minors seeking abortion, whereby, prior to giving her own written consent, a minor must receive a.) the consent of a parent or other adult family member; or b.) the consent of a judge; or c.) information and options counselling from a physician, psychiatrist, psychologist, social worker, nurse, nurse practitioner, physician assistant, or member of the clergy. Though the MWL (and the HART Coalition) did not support the amendment, there are positive aspects to the new law. First, it maintains as a priority the health and welfare of the minor; and second, it expands, rather than restricts, the options for adult support and guidance for the pregnant teen. The law carried with it a \$40,000 fiscal note reflecting the estimated expense incurred from cases where the minor seeks consent through the court.

*** AA TO PROVIDE INCREASED FUNDING FOR THE FAMILY PLANNING ASSOCIATION'S BASIC CLINICAL AND EDUCATION SERVICES, L.D. 645: WD/Part II

Sponsors: Sen. Clark of Cumberland, Rep. Foss of Yarmouth, Sen. Perkins of Hancock, Rep. McGowan of Canaan

Summary: Provides a \$75,000 appropriation in each fiscal year to mitigate impact of federal cutbacks on FPA services. These funds will provide for on-going and new education and training programs for communities, teachers, parents, students, health care professionals, and clergy in the area of sexuality and responsible decision-making. (Original funding request: \$525,000 in each fiscal year).

*** AA TO INCREASE THE AFDC STANDARD OF NEED FOR AID TO FAMILIES WITH DEPENDENT CHILDREN, L.D. 1369: WD/Part II

Sponsors: Sen. Nancy Clark, Sen. Joe Brannigan, Rep. Jim Oliver, Rep. Christine Burke. (WLAC Sponsor: M.A.I.N.)

Summary: This initiative provides \$1.4 million for a 3% increase in the AFDC payment standard beginning in January 1990. It also establishes a Commission, charged with assessing the AFDC program's ability to adequately meet families' basic necessities. (Original funding request: \$18 million for 10% increase in payment standard).

*** AA TO MEET THE INCREASED NEED FOR CRISIS INTERVENTION SERVICES PROVIDED BY RAPE CRISIS CENTERS IN MAINE. (L.D. 765: WD/Part II)

Sponsors: Sen. Joe Brannigan, Sen. Nancy Clark, Rep. Pat McGowan, Rep. Dan Gwadosky.

Summary: Provides \$140,000 in each fiscal year for staff services, operating expenses, and expansion of outreach services and coordination of resources in rural areas. The appropriation includes \$40,000 to establish an additional rape crisis center in York

County.

***** AA TO IMPROVE ACCESS TO HEALTH CARE AND RELIEVE HOSPITAL COSTS DUE TO CHARITY AND BAD DEBT CARE WHICH ARE CURRENTLY SHIFTED TO THIRD-PARTY PAYORS, L.D. 1322**

Sponsors: Spkr. John Martin, Sen. Pres. Charles Pray, Rep. Charlene Rydell, Sen. Mike Pearson. (WLAC Sponsor: Maine People's Alliance)

Summary: The first major reform in Maine's health care system since 1965, when Medicaid and Medicare were enacted by Congress, this \$20 million initiative establishes the Maine Health Program providing health coverage, beginning in 1990, to a.) Children under 18 years of age with household incomes below 125% of the federal poverty level (FPL); and b.) adults (18 or over) with household incomes up to 95% FPL (this increases to 100% of FPL in July 1992.) It also establishes the Community Health Program, a grant program for local health care providers to expand primary and preventive services; and increases the Medicaid reimbursement rates for providers serving Medicaid clients. Congratulations to Consumers for Affordable Health Care for their supreme efforts in getting this landmark piece of Legislation through! For more information, contact Consumers for Affordable Health Care, P.O. Box 2490, Augusta 04330.

***** AA TO MAINTAIN LEGAL SERVICES FOR LOW-INCOME CITIZENS, L.D. 1112: WD/Part II**

Sponsors: Rep. Mike Hepburn, Rep. Judy Paradis, Sen. Barbara Gill, Rep. Wendy Ault.

Summary: Provides \$75,000 in each fiscal year to permit Pine Tree Legal Assistance, Inc. towards maintaining current levels of service to low-income clients.

***** AA TO INCREASE THE FUNDS AVAILABLE TO COMMUNITY-BASED AGENCIES FOR CASE-MANAGEMENT SERVICES TO PERSONS INFECTED WITH THE HUMAN IMMUNE DEFICIENCY VIRUS, L.D. 689: WD/Part II**

Sponsors: Rep. Rydell of Brunswick, Rep. Paradis of Frenchville, Rep. Pouliot of Lewiston, Sen. Titcomb of Cumberland.

Summary: Provides \$80,000 over the biennium for additional case-management/client support position(s) to serve persons with HIV-related illnesses. (Original funding request: \$250,000.)

***** AA TO PROVIDE SUPPORT FOR NON-PROFIT COMMUNITY AIDS ORGANIZATIONS WHICH ARE MEMBERS OF STATEWIDE AIDS ALLIANCE, L.D. 792: WD/Part II**

Sponsors: Rep. Rydell, Rep. Marsano of Belfast, Rep. Lisnik of Presque Isle, Sen. Brannigan of Portland.

Summary: Provides \$250,000 over the biennium for grants to community-based AIDS organizations to supplement local resources for a statewide AIDS Alliance (Original funding request: \$703,500.)

***** AA TO PROVIDE FUNDS FOR START-UP OF SCHOOL-BASED CHILD CARE, L.D. 384**

Sponsors: Rep. Clark of Brunswick, Sen. Estes of York, Rep. Greenlaw of Standish. (WLAC Sponsor: Maine Home Economics Association.)

Summary: Provides \$300,000 over the biennium to cover start-up costs to those schools that wish to establish on-site child care for student parents. (Original funding request: \$500,000.)

***** AA TO FUND RURAL OUTREACH PROGRAMS, COMMUNITY RESPONSE PROGRAMS, MINIMUM STANDARD REQUIREMENTS, AND INCREASED INSURANCE COSTS IN THE 9 MEMBERS OF THE MAINE COALITION OF FAMILY CRISIS SERVICES, L.D. 979: WD/Part II**

Sponsors: Sen. Nancy R. Clark, Rep. Pat McGowan, Sen. Joe Brannigan, Rep. Ruth Foster.
Summary: Provides \$185,000 over the biennium to Family Crisis Services to meet increasing demand for crisis intervention and support services (particularly in rural regions of the state), escalating costs of insurance, and long-overdue salary increases. (Original funding request: \$949,000.)

***** RESOLVE, TO ESTABLISH A BLUE RIBBON TASK FORCE TO PROMOTE EQUITY OF OPPORTUNITY FOR WOMEN IN THE PUBLIC SCHOOL SYSTEM, L.D. 1034 (New Title)**

Sponsors: Sen. Nancy Clark, Speaker John Martin, Rep. Lin Higgins, Rep. Mary Small. (WLAC Sponsor: Maine Human Rights Commission.)
Summary: To be jointly appointed by the Governor and the Legislature, the Task Force would examine the incidence and causes of discrimination against women in the public school system, and would report its recommendations to the 1990 session of the Legislature, \$35,000 approved to commission study. (Original funding request: \$50,000.)

***** AA TO INCREASE DISPLACED HOMEMAKER PROGRAM FUNDING, TO CONTINUE RURAL OUTREACH, EMPLOYMENT AND TRAINING AND SUPPORT SERVICES FOR MAINE DISPLACED HOMEMAKERS, L.D. 392**

Sponsors: Rep. John Lisnik, Rep. Ruth Foster. (WLAC Sponsor: Displaced Homemaker Program.)
Summary: Now in its fourth and final year of utilizing VISTA volunteers and facing a loss of funds from the state Bureau of Adult and Secondary Vocational Education, DHP will receive \$300,000 over the biennium to continue its outreach, assessment, and training programs at current levels, and to continue rural community resource development and coordination in outlying areas. (Original funding request: \$670,000.)

***** AA TO SUPPORT THE MAINE WOMEN, INFANTS AND CHILDREN PROGRAM.**

Sponsors: Rep. John Lisnik, Sen. Barbara Gill. (WLAC Sponsor: WIC Directors Assoc.)
Summary: Because of inadequate administrative support funds, Maine's WIC program is able to reach only 40-50% of eligible low-income women and children. Although there is sufficient moneys available for food vouchers, there is lack of funds for personnel to distribute them. This new law will provide \$84,000 to enable full delivery of direct services under the WIC program. (Original funding request: \$84,000.)

AA TO INCREASE FUNDING OF ELDERLY LEGAL SERVICES, L.D. 1232

Sponsors: Speaker John Martin, Rep. John Lisnik, Rep. Ruth Foster, Sen. Joe Brannigan.
Summary: This new law will provide \$98,500 in each year for additional support in Maine's most populous counties, in order to meet the rapid increase in the demand for services. The funds would provide for additional staffing, increase the LSE salary structure (now the lowest public interest attorney scale in the state), enhanced training opportunities, and additional travel and phone expenses. (Original funding request \$98,500.)

AA TO PROVIDE COST-OF-LIVING INCREASES TO HOMEMAKER SERVICES PROVIDERS TO APPROPRIATE ADDITIONAL FUNDS TO EQUALIZE HOMEMAKER SERVICES FUNDING STATEWIDE, L.D. 647: WD/Part II

Sponsors: Sen. Gill of Cumberland, Sen. Berube of Androscoggin, Rep. Manning of Portland, Rep. Lisnik of Presque Isle.

Summary: Provides \$500,000 to homemaker services provided to elderly, disabled, and others in need of assistance. Due to inadequate revenue increases in recent years, as well as the effects of inflation, homemaker services have been unable to meet growing needs for domestic services, household management and dependent care services. (Original funding request: \$1.1 million.)

BILLS FAILING PASSAGE

***** AA TO IMPROVE FAMILY COMMUNICATION WITH ADOLESCENTS, L.D. 1194**

Sponsors: Sen. Pam Cahill of Woolwich, Co-sponsors: Sen. Joe Brannigan of Portland, Rep. Francis Marsano of Belfast, Rep. Patricia Stevens of Bangor. (WLAC Sponsor: Maine Women's Lobby.)

Summary: Developed and initiated by the H.A.R.T. Coalition (Helping Adults Reach Teens), this was presented as alternative legislation to the Right-to-Life bill mandating parental or judicial consent for minors seeking abortion. Due to severe budgetary constraints, this measure was not endorsed by the Committee on Appropriations, and therefore, was rejected by the full Legislature.

***** AA TO PREVENT DISCRIMINATION, L.D. 556**

Sponsors: Rep. Conley of Portland, Sen. Gill of Cumberland, Sen. Gauvreau of Androscoggin, Rep. Rand of Portland.

Summary: Despite a remarkable lobbying effort by the Maine Lesbian/Gay Political Alliance, the civil rights bill was defeated by the State Senate. Nevertheless, 1989 stands as a watershed for civil rights in Maine -- for the first time in Maine's history, the bill was passed by the House of Representatives. Kudos to the MLGPA for their brilliant effort, and many heartfelt thanks to supportive legislators and sponsors who courageously fought for passage.

***** AA TO PROVIDE CLOTHING ALLOWANCES FOR AFDC CHILDREN, L.D. 1583**

Sponsors: Rep. Judy Foss, Rep. Mary McBride, Rep. Brad Boutillier. (WLAC Sponsor: M.A.I.N.)

Summary: Proposed \$776,500 for clothing allowances of \$75 per child in August 1989 for families receiving AFDC. Both this bill and L.D. 1111 (following) will be re-examined by the AFDC Study Commission and possibly re-introduced at a future session.

***** AA TO ESTABLISH A SPECIAL HOUSING ALLOWANCE FOR THE AFDC PROGRAM, L.D. 1111**

Sponsors: Speaker John Martin, Sen. Joe Brannigan, Rep. Peter Manning, Rep. Don Strout. (WLAC Sponsor: M.A.I.N.)

Summary: Proposed that a "special need" pursuant to federal AFDC regulations be established to pay a supplement of up to \$100 per month to AFDC families whose total housing costs are more than 75% of their income.

BILLS VETOED BY THE GOVERNOR

AA TO ALLOW FOR RECOVERY FOR WRONGFUL DEATH OF A VIABLE FETUS. (New Title), L.D. 551

Sponsors: Rep. Pat Paradis, Sen. Georgette Berube, Sen. Donald Collins.

MWL

Position: Opposed.

Summary: Initiated by the Maine Right-to-Life Committee, the original draft proposed to revise the Probate Code to include fetus in the definition of "person", thereby permitting recovery of damages for the death of a fetus caused by negligence. The amended version, narrowly approved by the House, limited recovery to the parents of the fetus, but nonetheless left many disturbing questions unanswered. The MWL and other opponents questioned the necessity and wisdom of granting legal status and rights to the fetus that, in practice, could supercede or conflict with those of the pregnant woman. The Governor emphasized that theme in his veto message, stating that "while (the bill) attempts to help those who have suffered the loss of a viable fetus, it raises many disturbing questions that could lead to endless and potentially harmful litigation."

THANK YOU'S DUE

The Lobby's success this year was due in no small part to the following friends and allies who sponsored and supported M.W.L. and W.L.A.C. bills. If your legislator is among them, please, do not fail to send her/him a letter of thanks to express our deep appreciation for their support and hard work!

A very special Thank You to the following Sponsors of AA to Improve Family Communications with Adolescents, the Pro-Choice alternative to mandatory parental consent:

Sen. Pamela Cahill, Prime Sponsor
RFD #3, Box 786
Wiscasset, 04578

Sen. Joe Brannigan
168 Concord Street
Portland, 04103

Rep. Patricia Stevens
251 Nowell Road
Bangor, 04401

Rep. Francis Marsano
11 Congress Street
Belfast, 04915

... And to Sponsors of AA to Establish Occupational Safety and Health Standards for Operators of Video Display Terminals:

Speaker John Martin
Box 250
Eagle Lake, 04739

Sen. Bonnie Titcomb
861 Lakewood Road, RR #2
Casco, 04015

Rep. Anne Rand
61 Melbourne Street
Portland, 04101

Rep. Dick Ruhlin
115 Elm Street
Brewer, 04412

... And, last but not least, Sponsors of W.L.A.C. initiatives and legislators who were particularly supportive on key Joint Standing Committees. Astericks (*) designate the number of WLAC bills sponsored. (A) designates members of the Appropriations Committee supporting our funding bills. (L) designates members of the Labor Committee who strongly supported the Lobby's VDT legislation. (LL) indicates a member of Legislative Leadership whose support of our funding bills was key to final passage. (J) designates Pro-choice members of the Judiciary Committee who played key roles in the parental consent debate.

Senators

- | | |
|--|---|
| ***** Sen. Joe Brannigan, Portland (A) | * Sen. Barry Hobbins, Saco (J) |
| * Sen. Pam Cahill (LL) | *** Sen. Muriel Holloway, Edgecomb (J) |
| ***** Sen. Nancy Clark, Brunswick (LL) | * Sen. Mike Pearson, Old Town (A) |
| * Sen. Steve Estes, Kittery | ** Sen. Tom Perkins, Blue Hill (A) |
| Sen. Don Esty, Westbrook (L) | * Sen. Pres. Charles Pray, Millinocket (LL) |
| * Sen Paul Gauvreau, Lewiston | Sen. Bonnie Titcomb, Casco |
| ** Sen. Barbara Gill, So. Portland | |

Representatives

- | | |
|---|--|
| * Rep. Wendy Ault, Monmouth | ** Rep. Francis Marsano, Belfast (LL) |
| * Rep. Brad Boutillier, Lewiston | ***** Spkr. John Martin, Eagle Lake (LL) |
| * Rep. Christine Burke, Vassalboro | * Rep. Mary McBride, Presque Isle |
| * Rep. Lorraine Chonko, Topsham (A) | *** Rep. Pat McGowan, Canaan (A) |
| ** Rep. Marge Clark, Brunswick | Rep. Ed McHenry, Madawaska (L) |
| ** Rep. Gerry Conley, Jr., Portland (J) | Rep. Elden McKeen, Windham (L) |
| ** Rep. Sue Farnsworth, Hallowell (J) | * Rep. Jim Oliver, Portland |
| *** Rep. Judy Foss, Yarmouth (A) | ** Rep. Judy Paradis, Frenchville |
| *** Rep. Ruth Foster, Ellsworth (A) | * Rep. Pat Paradis, Augusta |
| * Rep. Ernest Greenlaw, Standish | Rep. Ed Pineau, Jay (L) |
| * Rep. Dan Gwadosky, Fairfield (LL) | * Rep. Roger Pouliot, Lewiston (A) |
| * Rep. Peter Hastings, Fryeburg (J) | * Rep. Dick Ruhlin, Brewer (L) |
| * Rep. Mike Hepburn, Skowhegan | ** Rep. Anne Rand, Portland (L) |
| * Rep. Lin Higgins, Scarborough (A) | *** Rep. Charlene Rydell, Brunswick |
| **** Rep. John Lisnik, Presque Isle (A) | * Rep. Mary Small, Bath |
| Rep. Ida Luther, Mexico (L) | * Rep. Pat Stevens, Bangor (J) |
| * Rep. Peter Manning, Portland | * Rep. Don Strout, Corinth |

First Annual Maine NOW Women's Equality Day

Music and Dance Festival

Saturday, August 26, 2:00 - 5:30 p.m.

Southern Maine Vocational Technical Institute

Featuring:

Franco American Singer: Josee Vachon

Woman's Singing: Beth Edmonds and Cynthia Phinney

Penobscott and Mailseet Indian Legends Set To Music: Barbara Magee

Lesbian, Gay, Bi-sexual Choir Music: Bridges

For Ticket Information:

Annie Lunt 774-6663 or Lisa Popp 892-2668

Tickets: \$10.00 per person

CHANGES IN THE HEALTH CARE SYSTEM WILL BENEFIT MANY

The following is an excerpt from a letter from Joe Ditre, organizer for the Maine People's Alliance, thanking the MWL for its participation in the Consumers for Affordable Health Care Coalition.

... What a feeling of happiness and pride to write to Alma Fowler of Houlton and let her know that her five year old daughter, Nacie, can now get the medical attention she needs without fear of impoverishment; to explain to Debra Brown of Caribou that her two asthmatic sons will now be covered by the Maine Health Program and that she no longer has to decide whether heat, rent or medical care is a priority; to tell Evelyn Goodall of Island Falls that this time when she brings her two year old son, Andy, to the emergency room for treatment of his severe allergic reactions, she will not leave with an oppressive repayment agreement that will keep her indebted to a hospital for the next seven years.

These are just a few of the people whom your participation in Consumers for Affordable Health Care has provided with a direct and concrete improvement in their daily lives. There are over 21,000 people who will be covered by the Maine Health Program. I hope that you feel the same pride and joyousness that I have for this monumental accomplishment...

U.S. Supreme Court Curtails Abortion Rights in Webster Case

**by: Betsy Mahoney, Esq.
Family Planning Association of Maine, Inc.**

The U.S. Supreme court ruled on July 3 in Webster v. Reproductive Health Services, the long-awaited decision on a challenge to Missouri's abortion law. While four of the Justices made clear their desire to overrule Roe v. Wade, the Court's 1973 decision establishing a right to abortion, Justice O'Connor refused to complete the majority, stating in a concurring opinion that the issue was not properly before the Court. The rulings on the four issues at hand and their likely impact in Maine are as follows:

1. "Life Begins at Conception" Preamble. The Missouri statutes's preamble stated that the life of each human being begins at conception and that unborn children have protectable interests in life, health, and well-being. A majority of the Court upheld this preamble by accepting the State's argument that it had no concrete effect on the right to abortion.

The Court's action will likely have the effect of encouraging legislation promoting fetal rights. Luckily for Mainers, however, Governor McKernan has just vetoed a bill that would have opened the door to increased fetal rights.

2. Use of Public Employees and Facilities. The Missouri law said that public employees and "public facilities" could not perform or assist abortions. The Court ruled that this provision was constitutional under its previous decisions, which held that states need not spend public money on abortions.

If a similar provision were to be enacted in Maine, it would have little effect on access to abortions, since only two public hospitals in the state perform abortions, and these are very limited in size.

3. "Gag Rule." The law said that public funds could not be used to "counsel or encourage" abortion. A unanimous Court said that this issue was moot (not properly before it) because that state had said that the statute would not be used to limit the speech of the plaintiffs, who were public employees, but only to give direction to state officials allocating public funds.

It is fortunate that the Court did not rule on this issue, because if a similar statute were to be enacted in Maine, it could have a potentially adverse effect on Family Planning. Theoretically, the State could require that none of the funding it gives to Family Planning could be used to counsel pregnant women about their options, which include abortion as well as parenthood and adoption.

Sandra Faucher, head of the Maine Right-to-Life Committee, was quoted in the Portland Press Herald as saying, "we would be very interested in legislation that would restrict (Family Planning) in this area," referring to abortion counseling. To repeat, the Webster decision does not offer support or validation of this type of legislation.

It is important to remember in any case that current federal Title X regulations, which have been adopted by the state, require clinics to counsel about all the options, including abortion. Any state regulation attempting to enforce the same type of "gag rule" would undoubtedly be the subject to a legal challenge.

4. Viability Tests. The law said that a physician had to perform certain medical tests for fetal age, weight, and lung maturity in order to determine if the fetus was viable. Those challenging the statute had argued that the tests were expensive, risky, and irrelevant to viability. The State had argued that no particular test was necessary, but physicians had only to do what was medically prudent. A majority of the court agreed with the state's reading and held that the statute therefore was a reasonable means of furthering the state's interest in protecting fetal life.

Justice O'Connor agreed with this result but thought that the requirement, as interpreted, did not conflict with Roe and that it was premature to reconsider Roe in this case. Justices Rehnquist, Kennedy, and White believed that Roe "cast doubt" on the validity of this section and that its trimester framework should be scrapped. Justice Scalia explicitly stated that Roe should be overruled.

If a similar law were to be enacted here, it too would have a very limited effect. According to the Department of Human Services, all but two of the 4,723 abortions performed in Maine last year involved fetuses younger than 20 weeks.

The Situation in Maine. We are fortunate in Maine to have a Governor who is strongly pro-choice. The day the Webster decision was announced, Governor McKernan announced that he would "oppose any legislative attempts to have state government play a wider role in regulating" abortion during the first six months of pregnancy. Moreover, Senate President Charles Pray and House Speaker John Martin were both quoted in the Portland Press Herald as stating that it was unlikely that the Legislature would agree to take up bills restricting abortions in the next regular session (next year), because bills in that session are supposed to be of an emergency nature.

Despite reassuring statements made to the press by state politicians, it is important that we make our pro-choice views known to our legislators, on both the state and the national level!

CHOICE: THE CHALLENGE AHEAD

The M.W.L. is one of the 11 member organizations of Maine Choice, a coalition of women's health, and civil rights organizations committed to preserving reproductive freedom in Maine. Announced on July 3rd, the day the U.S. Supreme Court handed down the Webster decision, the Coalition will sponsor programs and activities to make clear to policy-makers and legislators the pro-choice majority in Maine. As a member of the Women's Lobby, you will be notified as soon as these activities are launched -- and your support and participation will be critically important! Activities are expected to begin within the month -- in the meantime ...

HERE'S WHAT YOU CAN DO:

1. WRITE YOUR LEGISLATORS IMMEDIATELY, ESPECIALLY IF S/HE IS A MEMBER OF LEGISLATIVE LEADERSHIP! Let him/her know your strong opposition to any restrictions on abortion rights. The Legislatures next session, beginning in January 1990, will be the next battleground. Legislative rules governing the Second Regular Session require that all bills must be approved by a majority of Legislative Leadership in order to be presented to the full Legislature for debate. Though we have not had an official pro-choice roll call in either the House or Senate, indications are that we have a Pro-choice majority in Leadership -- providing us the possibility that anti-choice legislation may be rejected at the earliest stage. We are extremely fortunate that all three women leaders, Senate Democratic Leader Nancy Randall Clark of Brunswick, Assistant Senate Republican Leader Pam Cahill of Woolwich, and House Republican Leader Mary Clark Webster of Cape Elizabeth, are outspoken supporters of reproductive rights, with House Democratic Leader Dan Gwadosky of Fairfield, Assistant House Republican Leader Francis Marsano of Belfast and Democratic House Whip Joe Mayo of Thomaston completing the pro-choice majority. They need to hear from us! Thank them for their past support, and urge them to resist any efforts to obstruct access to choice. Though the remaining leaders -- Senate President Charles Pray of Millinocket, House Speaker John Martin of Eagle Lake, Senate Republican Leader Charles Webster of Farmington, and Assistant Senate Democratic Leader Dennis Dutremble of Biddeford -- have made their anti-choice views clear, they too, need to hear from constituents who respectfully but strongly disagree with them on this critical issue! whether your legislators are members of leadership or not, do not fail to contact them on this issue! Addresses for Senate Leaders: Maine State Senate, State House Station #3, Augusta, ME 04333; For House Leaders: Maine House of Representatives, State House Station #2, Augusta, ME 04333.

2. WRITE A THANK YOU LETTER TO GOVERNOR MCKERNAN for his immediate, unequivocal, and outspoken support of reproductive choice following the Webster decision. He has vowed to veto any legislation imposing restriction on abortion, should any pass the Legislature.

3. URGE FRIENDS TO JOIN THE MAINE WOMEN'S LOBBY TO SUPPORT CHOICE. As a member organization of Maine Choice, the M.W.L. will be financially supporting the coalition's work. Your friends' new membership dues will contribute to that effort, and your additional donations can be earmarked for Choice purposes, if you so designate.

4. SPONSOR A GATHERING OF PRO-CHOICE CONSTITUENTS IN YOUR NEIGHBORHOOD. Host a coffee or tea or other informal meeting and invite your legislator(s) to your home to listen to the concerns and interests of his/her pro-choice constituents. We can provide you a list of other Women's Lobby members in your town who can help you organize and/or attend such an event. Regardless of where your legislator stands on the issue, invite him/her to attend. Legislators need to hear from constituents (and voters) who strongly disagree and who care deeply about how s/he will vote on the issue. Most importantly, legislators who are undecided will be positively impressed by those constituents who care deeply enough to discuss the issue face-to-face. If you're interested in hosting such a gathering, call the Women's Lobby Office (622-5798) or write us at P.O. Box 15, Hallowell, ME 04347.

MAINE CHOICE

===== **MEMBER ORGANIZATIONS**

Maine Women's Lobby
Maine Chapter, American Association of University Women
Family Planning Association of Maine, Inc.
League of Women Voters
Maine Civil Liberties Union
Maine Commission for Women
Maine Home Economics Association
Maine N.O.W.
National Federation of Jewish Women, Portland Chapter
Maine Chapter, National Lawyers Guild

Other organizations wishing to join should call the Maine Civil Liberties Union at 774-5444, the Maine Women's Lobby at 622-5798, or other current member organizations.

MAINE'S V.D.T. SAFETY LAW: **A FIRST STEP IN THE RIGHT DIRECTION!**

Given the great response when we solicited members' help for the V.D.T. Safety Project in January's newsletter, we're issuing a second request for members willing to monitor their workplace to ensure compliance with Maine's new VDT training law.

If the new law applies to your employer, please let us know! We will urge members to work with management to establish effective education and training programs once the law goes into effect in late September.

P.L. 1989, Ch. 512, AN ACT to Require Occupational Safety and Health Standards For Operators of Video Display Terminals:

A. APPLIES to all employers that have 25 or more video display terminals in operation at one worksite. This will likely apply to large insurance companies, banks, newspapers, some travel agencies, and other information-based industries.

B. EXTENDS ELIGIBILITY to workers who operate a VDT for more than four consecutive hours per day, every day (exclusive of breaks), and whose primary task is defined as VDT work, such as data entry, etc.

C. REQUIRES that:

1. Each eligible employee must receive, both orally and in writing, training and education of the proper use of VDTs and "the protective measures the operator may take to avoid or minimize symptoms or conditions that may result from extended or improper use of terminals."
2. The employer must post, "in a prominent location" in the workplace, the rights and duties provided by the new law. That is, the employer must notify employees about when and how the training and education program will be administered.
3. The employer must conduct the education and training program within six months of the effective date of the law, and annually each following year. Hence, the deadline for the first training and education program at each worksite in Maine will be the end of March, 1990.
4. After the end of next March, employers must provide training and education to each new eligible employee within the first month of his/her employment as an operator.
5. The Bureau of Labor Standards must provide your employer recommendations on appropriate occupational safety literature to be used in the training and education program.

If you're a VDT worker, or you know VDT workers who will be eligible for the training, we urge you to complete the form below and return it to us at: The Maine Women's Lobby, V.D.T. Safety Project, P.O. Box 15, Hallowell, ME 04347. If you would like suggestions for VDT safety training literature to pass on to your employer, again, contact us or the Maine Labor Group on Health, P.O. Box V, Augusta, ME 04332 (622-7823).

V.D.T. SAFETY PROJECT

Name _____

Address _____

Town and ZIP _____

Phone Number(s) _____

* Employer _____

_____ Yes, I am willing to monitor my workplace to ensure compliance with P.L. Ch. 512, providing education and training to VDT workers. Please send me information on how I can help.

Please return to: The Maine Women's Lobby, V.D.T. Safety Project, P.O. Box 15, Hallowell, ME 04347.

* (All information provided to the VDT Safety Project will be kept confidential.)

REPORT FROM 1989 ANNUAL MEETING

by: Tory Leuteman

The M.W.L.'s Annual Meeting was June 7, 1989. It was an opportunity to reflect on how far we had come in the past year and to discuss our plans for the future. Also, to celebrate for completing another successful year by treating ourselves to a "gourmet" pizza dinner!

All committees outdid themselves this year. The Membership Committee organized two successful direct mail campaigns. The Fall campaign resulted in 60 new members totalling \$1,500! Another mailing was sent out this Spring. Results have not yet been tabulated, but it looks like a winner! The Membership Committee also organized house parties, hosted by MWL Board Members. These receptions were very successful. Many new members were recruited and current members were given an opportunity to attend a local MWL event and meet the lobbyist and the Board members they had been reading about in the newsletters!

The Development Committee organized the best MWL raffle ever. The raffle netted \$3,200, far exceeding all previous raffles. The Cocktail Party was also very successful. This event is not only a lucrative fundraiser, but a wonderful opportunity to network with legislators and various state officials.

The Grassroots Committee worked very hard encouraging MWL members to call their legislators. Most of their efforts focused on the parental consent bill. All House and Senate members in key districts were contacted by either letter or phone. The activism of MWL members made an enormous difference on this, and other pieces of legislation. Our voice was heard, and legislators listened!

The early morning meetings of MWL's Legislative Committee once again paid off. The Lobby sponsored two pieces of legislation and successfully defeated the original intent of the parental consent bill. The committee also supported Joanne in her work by helping to map out strategy and by testifying and lobbying various bills of interest to individual committee members. This was particularly important because legislators needed to see that the MWL was not just one person - a lobbyist, but a group of dedicated, hard working people willing to come to Augusta to testify for legislation and work with the MWL lobbyist.

The MWL's three task forces also reported their activities at the Annual Meeting. The Reproductive Rights Task Force reported on activities in Maine to organize a permanent organization dedicated to preserving choice. One avenue is to form a pro-choice coalition of organizations dedicated to doing choice work. Each organization would represent a different constituency or area of action or expertise. The second avenue is the formation of National Abortion Rights Action League affiliate. The advantages and disadvantages of each were discussed. The Reproductive Choice Task Force agreed to continue to work in both areas and will report back to the membership.

The Education Task Force reported that its' focus was junior and senior high school students that drop out or become disenchanted. Why does this happen, and what program or changes are needed to prevent this? The second focus of the Education Task Force is assisting older women to get back into the educational system. Why are they reluctant and what assistance do they need?

VOLUNTEERS NEEDED!

Volunteers are needed to staff MWL's booth at the Common Ground Fair, September 22, 23, and 24. Please call Linda Wilcox at 946-1000 or Karen Ottenstein at 529-5636 for details.

The Economic Development Task Force has identified five areas to pursue for further research, possible legislation, public information campaigns and cooperative work with other organizations. These subjects are: dependent care, family leave, flexible hours, comparable worth, pay equity, job training, women and labor organizations and small business development. The Economics Task Force plans to continue meeting over the summer.

Each of these task forces will continue to work through coming months. MWL members are encouraged to join and add their ideas! Write the Lobby and we'll put you in touch with the task force you're most interested in.

Finally, at the Annual Meeting we said goodbye to five Board members who chose not to seek re-election. Each added to the Board a unique perspective and an enormous amount of hard work. They will be missed and we appreciate all they have done. Departing Board members are: Merrie Allen, Jane Fisher, Bambi Jones, Annee Tara, and Carol Wyckoff.

SPECIAL THANK YOU'S

By: Tory Leuteman

There are several MWL members who need to be recognized and thanked for their hard work and flexibility during the past year. First, the newsletter crew! Elizabeth McClenehan spend endless hours over numerous weekends typing the newsletter and making it look snazzier. Al Smith was the newsletter's courier; picking up copy and taking it to the printer. Sarah Shed was great, running off mailing labels at a moment's notice. Finally, Walter Hall, the fastest bulk mail preparer in the East. Each of these people played a key role in the preparation and distribution of the newsletter and their work is very much appreciated.

A second thank you goes to Harriet Rogers; the "Chair's secret typist." With barely a moments notice, Harriet typed letters, agendas, work plans, etc. and saved me from a lot of frustration and several embarrassing moments. Thanks for your help Harriet!

LOBBYIST EXTRAORDINAIRE

Joanne D'Arcangelo is a very skillful, talented and tenacious lobbyist. She ran a very successful battle against the parental consent legislation. She was there at 2:00 a.m. to make sure that the Appropriations Committee funded Rape Crisis Centers and Domestic Violence Programs. And, despite numerous attempts to kill it, Maine now has regulations to protect VDT workers. (A modest, though important beginning.) I suspect that even those who have lobbied against MWL, would agree that Joanne D'Arcangelo is a lobbyist extraordinaire!

* * * * * SAVE THIS DATE * * * * * SAVE THIS DATE * * * * *

Friday, October 13, 1989
7:00 p.m.

The Great Chocolate Event

The Holiday Inn, Waterville

Hint: To fully enjoy this event, save up a week's worth of calories, spend them all on incredible, delicious chocolate desserts from famous restaurants across the state!

* * * * * SAVE THIS DATE * * * * *

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THANK YOU!

THANK YOU!

THANK YOU!

THANK YOU!

..... FOR ALL YOUR SUPPORT: Fundraising tickets, raffle sales, contributions, new memberships, renewals, and your phone calls and letters to legislators!

LITTLE KNOWN FACT: If our membership doubled, we wouldn't have to rely on constant fundraisers . . .

ASK A FRIEND TO JOIN THE LOBBY TODAY!

Name: _____ Town & Zip: _____

Mailing Address: _____

Phone Numbers: Days _____ Evenings _____

Will you help with: Fundraising ? Recruiting Members? Calling Legislators?
(Circle one or more)

My Contribution to the Lobby is:

_____ Life (\$500)

_____ Supporting (\$50)

_____ Sustaining (\$250)

_____ Individual (\$25)

_____ Sponsoring (\$100)

_____ Other (\$1-24)

*** The Maine Women's Lobby is committed to representing women of all economic means ***
*** Any contribution you are able to make will entitle you to membership ***



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