

MAINE RIGHT TO LIFE COMMITTEE

Testimony in Support of LD 327, An Act to Allow a Wrongful Death Cause of Action for the Death of a Viable Fetus

Good afternoon Senator Keim, Representative Moonen and members of the Judiciary Committee. My name is Trish Morin and I am here representing the Maine Right to Life Committee in support of **LD 327, An Act to Allow a Wrongful Death Cause of Action for the Death of a Viable Fetus.**

The Maine Right to Life Committee is the state affiliate of the National Right to Life Committee and is a statewide non-profit corporation. Maine Right to Life was founded to protect and uphold the dignity and worth of each human life from conception to natural death. Our education, social action and advocacy provide a voice for those who cannot defend themselves.

This bill provides for a cause of action for the negligent death of an unborn viable baby. This means a baby who has reached 24 or more weeks of gestation. We support this bill that supports women who choose to have a child. Federal law and Maine state law protect women who choose an abortion; women deserve equal protection under the law for choosing to give life.

Maine is an outlier in New England as the only state to not allow a wrongful death cause of action when a viable unborn baby is killed through negligence or criminal action. A woman, crossing just over the New Hampshire border into Maine, who is hit by a drunk driver and has a miscarriage cannot recover any costs for prenatal care, funeral and burial expenses and/or maternal medical expenses. She will not recover any costs for lost work time brought on by physical pain and emotional distress. Yes, Maine's Criminal Code, Title 17, states a person is guilty of elevated aggravated assault on a pregnant person if the bodily injury results in the termination of the pregnancy. However, there is no financial recourse for the victim or mother.

LD 327 provides for such an action to be brought to Probate Court, to sue for damages.

You may hear testimony today from opponents who say this bill is an anti-choice bill. On the contrary, this bill supports women who have already made their choice. Whether you are pro-life or pro-choice, this bill is common ground and common sense for Maine women and their families.

Maine women deserve our best protections. **Please vote Ought to Pass on LD 327.**

Thank you, Trish Morin
Maine Right to Life Committee