

tion. Even the parents of an unmarried minor girl would not be required to give their consent to, or have knowledge of, an abortion under this measure.

My third concern—and perhaps the gravest one—was that the bill repealing the present abortion law would allow an abortion even in the eighth or ninth month of a pregnancy.

Since the Maryland General Assembly enacted the pending bill, three other states have adopted new abortion laws which are now being recognized as the most liberal in the nation.

New York, Alaska and Hawaii have adopted new abortion laws, but each of them has some safeguard—a residency requirement, a limit on the period of time during which an abortion can be legally performed, or parental consent when a minor female is involved.

As I have stated, these three states are now considered to have the most liberal abortion laws in the nation, and it is imperative to note that each of these laws contains some safeguards to protect the mother, the doctor and the rights of the unborn child.

While the existing Maryland law contains some safeguards—such as the ones I have illustrated—all would be repealed under the proposed law. Maryland would stand alone as the only state in the nation whose abortion law contained no safeguards.

The legal guidance I have received shows that it cannot be stated with certainty that the proposed abortion repeal bill will, in fact, become effective even if both companion measures are signed. The effectiveness of the abortion bill is contingent upon the enactment of a measure requiring that abortions be performed only by licensed physicians within licensed hospitals.

Beyond a doubt, the Medical Practices Act requires that an abortion can be performed only by licensed physicians. But it does not require that abortions be performed in hospitals.

If I were to sign the pending legislation, a physician, acting under the authority to perform abortions granted by that measure, could not so act with the certain knowledge that he was operating within the protection of a valid and effective law.

It is patently unfair to ask the medical doctors of this State to run the risk—however slight—of criminal prosecution, or of incurring civil liability, because of the vagueness of the proposed abortion law's provisions.

Many physicians who originally were in favor of the proposed law now have grave doubts about its worth as a Maryland statute. In fact, the members of the Commission on Medical Discipline—all of whom are medical doctors—have publicly asked me to veto the measure.

It is obvious that the proposed law protects *no one*—neither the mother, nor the doctor, nor the unborn child.

I am fully convinced, after careful review of the bill before me, that House Bill No. 489 would allow the abortion of a fully formed and healthy fetus, even in the ninth month. And there would be no provision for criminal punishment of the individual who performed the abortion.