

No law should permit the aborting of a fetus in the later stages of pregnancy except where the abortion is necessary to preserve the life of the mother.

I have been advised by the Medical and Chirurgical Faculty of Maryland that it opposes—on purely medical grounds—the aborting of a fetus in the final months of a pregnancy. Yet there is no legal power in this State that could prevent such an act under the proposed law.

Maryland's present law covering abortions is, I believe, adequately liberal but greatly misunderstood. Its provisions are worth reviewing. The existing law permits abortion:

1. If the continuation of the pregnancy is likely to result in the death of the mother;
2. If there is a substantial risk that continuation of the pregnancy would gravely impair the physical or mental health of the mother;
3. If there is substantial risk of the birth of the child with grave and permanent physical deformity or mental retardation;
4. If the pregnancy results from rape.

Under the present law, an abortion must be performed by a licensed physician "in a hospital accredited by the joint commission for accreditation of hospitals and licensed by the State Department of Health and Mental Hygiene."

Moreover, an abortion cannot be performed after 26 weeks of gestation unless the fetus is dead or continuation of the pregnancy is likely to result in the death of the mother. Each hospital in which abortions are performed must have an abortion review authority which must grant written authorization for the abortion.

The most widely misconstrued aspect of the existing law is that a psychiatrist's consent is required for the performance of an abortion.

Critics have argued that psychiatric consultations are expensive and a burden on women whose financial means are inadequate. Psychiatric consultation is not required in any case under the existing law.

However, the State has taken steps to assure financial help to any woman who needs an abortion but who lacks the financial means. The restrictions of hardship have been removed.

The purpose of the executive veto is not to thwart the will of the Legislature. It is, instead, the final safeguard in our system of checks and balances—an expression of executive responsibility for what I feel is the protection and well-being of the citizens of Maryland.

Because of the legal uncertainties in the abortion bill, and especially because the measure fails to restrict abortions to the earlier stages of pregnancy, I cannot, in good conscience, sign the abortion bill into law.

I will sign into law the Medical Practices Act, Senate Bill No. 257, because I am convinced that there is a great need to empower