

MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE
FIRST SPECIAL SESSION
31st Legislative Day
Thursday, June 22, 2023

The House met according to adjournment and was called to order by the Speaker.

Prayer by Honorable Anne P. Graham, North Yarmouth.
National Anthem by Sam Ankeles, Brunswick.
Pledge of Allegiance.

Under suspension of the rules, members were allowed to remove their jackets.

The Journal of yesterday was read and approved.

The following items were taken up out of order by unanimous consent:

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 519 and Joint Rule 213, the following items:

Recognizing:

Truxton and Alice Chase, of Springvale, who are celebrating their 60th Wedding Anniversary on September 21, 2023. We extend our congratulations and best wishes;

(HLS 448)

Presented by Representative LANIGAN of Sanford.
Cosponsored by Senator HARRINGTON of York,
Representative MASTRACCIO of Sanford.

On **OBJECTION** of Representative LANIGAN of Sanford, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Lanigan.

Representative **LANIGAN**: Thank you, Madam Speaker, and Ladies and Gentlemen of the House. Seven years ago, I had the pleasure of moving into a great neighborhood and there I found my second set of grandparents for my kids and parents to myself and they've been some very special people in our lives.

Truxton and Alice Chase were both born and raised in Connecticut. They met in Wethersfield, Connecticut. They were later married there on September 21, 1963. Truxton Chase enlisted in the Navy in 1962. He proudly served in the submarine service, specializing in nuclear weapons. He retired as a Senior Chief Petty Officer 1983. After retiring from the Navy, Trux had several civilian jobs and in the private sector until leaving the workforce in 1995 to provide home care for his in-laws. Alice Chase graduated from Wethersfield High School in Wethersfield, Connecticut in 1961 and she attended business college. She had a challenging career as a Navy wife and as a stay-at-home mother while the kids were young. In the early '80s, Alice started her career as an administrative assistant. She finally retired in 2001 after working for a dentist in Sanford for several decades.

They have three children; Julie, Robert and Jennifer. The kids were born throughout the early years of a Navy career in Virginia, Connecticut and Hawaii. Their kids blessed them with nine grandchildren; Sean, Kelly and Joseph; Ivanna, Robert, Mason, Trenton and China Chase; as well as Alyssa and Ethan Paquin. So far, they also have 12 great-grandchildren: Adam, Quinn, Addison, Silas, Colton, Lucas, Evelyn, Madeleine, Everett, Mason, Ben and Abby. This year, they are celebrating

60 years of marriage. Their years together have been filled with travel, adventure and family. Congratulations. We love you.

Subsequently, this Expression of Legislative Sentiment was **PASSED** and sent for concurrence.

In Memory of:

the Honorable Michael Wayne Quint, of Hodgdon. Mr. Quint worked for Blue Cross Blue Shield Insurance and for many years at AAA, from which he retired. He served in the Maine House of Representatives representing Portland from 1992 to 2002. In the Legislature, he served on the health and human services committee and the criminal justice and public safety committee. Mr. Quint will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

(HLS 516)

Presented by Representative QUINT of Hodgdon.

Cosponsored by Senator STEWART of Aroostook.

On **OBJECTION** of Representative QUINT of Hodgdon, was **REMOVED** from the Special Sentiment Calendar.

READ.

On motion of the same Representative, **TABLED** pending **ADOPTION** and later today assigned.

CONSENT CALENDAR

First Day

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(S.P. 34) (L.D. 42) Bill "An Act Regarding the Commissioner of Corrections' Role in Death Benefit Determinations and Regarding Training for Corrections Officers" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-392)**

(S.P. 215) (L.D. 461) Bill "An Act Regarding Private Roads" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-399)**

(S.P. 466) (L.D. 1139) Bill "An Act to Improve Ferry Service Reliability by Providing Scholarships at the Maine Maritime Academy" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-406)**

(S.P. 791) (L.D. 1942) Bill "An Act to Ensure Equity in Career and Technical Education Staffing Support Ratios Across Varied Regions of the State" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-393)**

(S.P. 804) (L.D. 1970) Bill "An Act to Enact the Maine Indian Child Welfare Act" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-413)**

(H.P. 1026) (L.D. 1581) Bill "An Act Regarding Dental Hygienists and Dental Therapists" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-698)**

(H.P. 1272) (L.D. 1979) Bill "An Act Regarding Surplus Lines Insurance Tax" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-689)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the Senate Papers were **PASSED TO BE ENGROSSED as Amended** in concurrence and the House Papers were **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

ENACTORS
Acts

An Act Regarding Community-based Services for Youth Involved in the Juvenile Justice System

(H.P. 96) (L.D. 155)
(C. "A" H-622)

An Act Regarding In-court Appearance Requirements for Persons Authorized to Serve Eviction Notices

(H.P. 221) (L.D. 347)
(C. "A" H-657)

An Act to Update the Gambling Laws to Allow Once-annual Game Nights for Eligible Organizations and Registered Political Committees

(H.P. 683) (L.D. 1088)
(C. "A" H-648)

An Act to Reduce Maine's Dependence on Fossil Fuels and Carbon Footprint for Energy Production Using Waste Wood Fuel

(H.P. 904) (L.D. 1408)
(H. "A" H-663 to C. "A" H-636)

An Act to Facilitate the Provision of Medically Appropriate Levels of Care for Clients of Correctional Facilities

(H.P. 1193) (L.D. 1863)
(C. "A" H-621)

Were reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act Requiring the State to Pay a Share of a Retired State Employee's or Retired Teacher's Premium for Medicare Part B Under Medicare Advantage

(H.P. 79) (L.D. 111)
(C. "A" H-671)

An Act to Amend the Laws Governing Damages Awarded for Wrongful Death

(H.P. 581) (L.D. 934)
(C. "A" H-652)

An Act Regarding the Provision of Liquor at Taste-testing Events Held at an Off-premises Retail Licensee's Premises

(H.P. 718) (L.D. 1132)
(C. "A" H-666)

An Act Directing the Bureau of General Services to Ensure Adequate Air Quality in All State-owned and State-leased Buildings

(H.P. 745) (L.D. 1173)
(C. "A" H-668)

An Act to Expand Health Insurance Options to Child Care Providers

(H.P. 938) (L.D. 1442)
(C. "A" H-662)

An Act to Provide Economic Justice to Historically Disadvantaged Older Citizens by Amending the Laws Governing the Medicare Savings Program and the Elderly Low-cost Drug Program

(H.P. 977) (L.D. 1522)
(C. "A" H-661)

An Act to Extend Development District Tax Increment Financing Districts

(H.P. 1118) (L.D. 1739)
(C. "A" H-672)

An Act to Modernize Maine's Beverage Container Redemption Law

(H.P. 1225) (L.D. 1909)
(C. "A" H-667)

An Act Regarding Future Energy Procurements for Renewable Energy Development in Northern Maine

(S.P. 792) (L.D. 1943)
(S. "A" S-390 to C. "A" S-359)

Were reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Resolve

Resolve, Directing the Office of Tax Policy to Study the Impact of Exempting Certain Nonprofit Organizations from the Sales and Use Tax and the Service Provider Tax

(H.P. 43) (L.D. 68)
(C. "A" H-665)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

REPORTS OF COMMITTEE

Refer to the Committee on State and Local Government Pursuant to Joint Order

Report of the **Joint Standing Committee on State and Local Government** on Bill "An Act Regarding the State Auditor's Reporting Requirements on State Agencies' Financial Activities"

(S.P. 834) (L.D. 2011)

Reporting that it be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** pursuant to Joint Order 2023, S.P. 747.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

The Report was **READ** and **ACCEPTED** and the Bill was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

Ought to Pass as Amended

Report of the Committee on **VETERANS AND LEGAL AFFAIRS** on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Align the Proceedings for Circulating Written Petitions for People's Vetoes and Direct Initiatives with Federal Law

(S.P. 597) (L.D. 1477)

Reporting **Ought to Pass as Amended by Committee Amendment "A" (S-394)**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the RESOLUTION **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-394) AND SENATE AMENDMENT "A" (S-408)**.

The Report was **READ** and **ACCEPTED**.

The RESOLUTION was **READ ONCE**.

Committee Amendment "A" (S-394) was **READ** by the Clerk and **ADOPTED**.

Senate Amendment "A" (S-408) was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the RESOLUTION was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the RESOLUTION was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-394) and Senate Amendment "A" (S-408)** in concurrence.

Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-360)** on Bill "An Act to Clarify the Criminal Statutes with Regard to Assaults on Emergency Medical Services Persons"

(S.P. 453) (L.D. 1119)

Signed:

Senators:

HARRINGTON of York
LaFOUNTAIN of Kennebec

Representatives:

SALISBURY of Westbrook
ARDELL of Monticello
MADIGAN of Waterville
NEWMAN of Belgrade
NUTTING of Oakland
PERKINS of Dover-Foxcroft

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-361)** on same Bill.

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

HASENFUS of Readfield
LOOKNER of Portland
MILLIKEN of Blue Hill

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-360)**.

READ.

On motion of Representative SALISBURY of Westbrook, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-360)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-360)** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-395)** on Bill "An Act to Expand Maine's High-quality Early Learning and Care for Children by Increasing Public Preschool Opportunities in Communities"

(S.P. 724) (L.D. 1799)

Signed:

Senators:

RAFFERTY of York
LIBBY of Cumberland
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
DODGE of Belfast
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SARGENT of York
WORTH of Ellsworth

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representatives:

BAGSHAW of Windham
LYMAN of Livermore Falls
POLEWARCZYK of Wiscasset
SAMPSON of Alfred

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-395)**.

READ.

On motion of Representative BRENNAN of Portland, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-395)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-395)** in concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act to Clarify Licensing Jurisdiction for Manufactured Housing Communities"

(S.P. 741) (L.D. 1825)

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ABDI of Lewiston

COPELAND of Saco

DHALAC of South Portland

GREENWOOD of Wales

POMERLEAU of Standish

RISEMAN of Harrison

UNDERWOOD of Presque Isle

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Senators:

NANGLE of Cumberland

BALDACCI of Penobscot

Representative:

STOVER of Boothbay

Came from the Senate with the Minority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

READ.

On motion of Representative STOVER of Boothbay, the Majority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-400)** on Bill "An Act to Provide Equitable Tax Treatment to State-licensed Cannabis Businesses"

(S.P. 432) (L.D. 1063)

Signed:

Senators:

GROHOSKI of Hancock

CHIPMAN of Cumberland

Representatives:

PERRY of Bangor

CROCKETT of Portland

HASENFUS of Readfield

MATLACK of St. George

RANA of Bangor

RUDNICKI of Fairfield

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

LIBBY of Cumberland

Representatives:

CARMICHAEL of Greenbush

LAVIGNE of Berwick

QUINT of Hodgdon

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-400)**.

READ.

On motion of Representative PERRY of Bangor, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-400)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-400)** in concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-402)** on Bill "An Act to Promote Fairness in the Taxation of Adult Use Cannabis by Basing the Excise Tax on the Tier of a Cultivation Facility"

(S.P. 549) (L.D. 1384)

Signed:

Senators:

GROHOSKI of Hancock

CHIPMAN of Cumberland

Representatives:

PERRY of Bangor

CROCKETT of Portland

HASENFUS of Readfield

LAVIGNE of Berwick

MATLACK of St. George

QUINT of Hodgdon

RANA of Bangor

RUDNICKI of Fairfield

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

LIBBY of Cumberland

Representative:

CARMICHAEL of Greenbush

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-402)**.

READ.

On motion of Representative PERRY of Bangor, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-402)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-402)** in concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-401)** on Bill "An Act to Promote Biomanufacturing and Biotechnology Development by Establishing a Tax Credit" (S.P. 595) (L.D. 1475)

Signed:

Senators:

GROHOSKI of Hancock
CHIPMAN of Cumberland
LIBBY of Cumberland

Representatives:

PERRY of Bangor
CARMICHAEL of Greenbush
CROCKETT of Portland
HASENFUS of Readfield
LAVIGNE of Berwick
MATLACK of St. George
RANA of Bangor

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representatives:

LIBBY of Auburn
QUINT of Hodgdon
RUDNICKI of Fairfield

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-401)**.

READ.

On motion of Representative PERRY of Bangor, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE. Committee Amendment "A" (S-401)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-401)** in concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-346)** on Resolve, to Direct the Department of Transportation to Implement the Recommendations of the Mountain Division Rail Use Advisory Council (S.P. 185) (L.D. 404)

Signed:

Senator:

FARRIN of Somerset

Representatives:

ALBERT of Madawaska
ANKELES of Brunswick
O'CONNELL of Brewer
PARRY of Arundel
THERIAULT of Fort Kent
WHITE of Waterville
WHITE of Guilford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-347)** on same Resolve.

Signed:

Senators:

CHIPMAN of Cumberland
NANGLE of Cumberland

Representative:

WILLIAMS of Bar Harbor

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-346)**.

READ.

On motion of Representative WILLIAMS of Bar Harbor, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE. Committee Amendment "A" (S-346)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Resolve was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-346)** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-386)** on Bill "An Act to Improve Maine's System for Protecting Sixth Amendment Rights" (S.P. 236) (L.D. 565)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York
BRAKEY of Androscoggin

Representatives:

MOONEN of Portland
KUHN of Falmouth
LEE of Auburn
MORIARTY of Cumberland
POIRIER of Skowhegan
RECKITT of South Portland
SHEEHAN of Biddeford

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-386)**.

READ.

On motion of Representative MOONEN of Portland, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE. Committee Amendment "A" (S-386)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-386)** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Empower the Legislature to Allow the Expungement or Sealing of Certain Criminal Records

(S.P. 297) (L.D. 739)

Signed:

Senator:

CARNEY of Cumberland

Representatives:

MOONEN of Portland

ANDREWS of Paris

HAGGAN of Hampden

HENDERSON of Rumford

KUHN of Falmouth

LEE of Auburn

MORIARTY of Cumberland

POIRIER of Skowhegan

SHEEHAN of Biddeford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-389)** on same RESOLUTION.

Signed:

Senators:

BAILEY of York

BRAKEY of Androscoggin

Representative:

RECKITT of South Portland

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought Not to Pass** Report.

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

READ.

On motion of Representative MOONEN of Portland, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-387)** on Bill "An Act to Implement the Recommendations of the Committee To Ensure Constitutionally Adequate Contact with Counsel"

(S.P. 635) (L.D. 1603)

Signed:

Senators:

CARNEY of Cumberland

BAILEY of York

BRAKEY of Androscoggin

Representatives:

MOONEN of Portland

HENDERSON of Rumford

KUHN of Falmouth

LEE of Auburn

MORIARTY of Cumberland

RECKITT of South Portland

SHEEHAN of Biddeford

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representatives:

ANDREWS of Paris

HAGGAN of Hampden

POIRIER of Skowhegan

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (S-387)** Report.

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-387)**.

READ.

On motion of Representative MOONEN of Portland, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE. Committee Amendment "A" (S-387)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-387)** in concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-345)** on Bill "An Act to Clarify Required Disclosure of Personally Identifying Information for Certain Nominating Petitions"

(S.P. 393) (L.D. 922)

Signed:

Senators:

HICKMAN of Kennebec

BRENNER of Cumberland

TIMBERLAKE of Androscoggin

Representatives:

SUPICA of Bangor

BOYER of Poland

COLLINGS of Portland

MALON of Biddeford

MONTELL of Gardiner

RIELLY of Westbrook

RISEMAN of Harrison

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representative:

RUDNICKI of Fairfield

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-345) AS AMENDED BY SENATE AMENDMENT "A" (S-409)** thereto.

READ.

On motion of Representative SUPICA of Bangor, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE. Committee Amendment "A" (S-345)** was **READ** by the Clerk.

Senate Amendment "A" (S-409) to Committee Amendment "A" (S-345) was READ by the Clerk and ADOPTED.

Committee Amendment "A" (S-345) as Amended by Senate Amendment "A" (S-409) thereto was ADOPTED.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading.**

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-345) as Amended by Senate Amendment "A" (S-409)** thereto in concurrence.

Ten Members of the Committee on **JUDICIARY** report in Report "A" **Ought Not to Pass** on Resolve, to Allow Ronald Caron and Jennifer Berube to Sue the State
(S.P. 675) (L.D. 1688)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

MOONEN of Portland
HENDERSON of Rumford
KUHN of Falmouth
LEE of Auburn
MORIARTY of Cumberland
POIRIER of Skowhegan
RECKITT of South Portland
SHEEHAN of Biddeford

Two Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "A" (S-403)** on same Resolve.

Signed:

Representatives:

ANDREWS of Paris
HAGGAN of Hampden

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (S-404)** on same Resolve.

Signed:

Senator:

BRAKEY of Androscoggin

Representative DANA of the Passamaquoddy Tribe - of the House - supports Report "A" **Ought Not to Pass.**

Came from the Senate with Report "A" **UGHT NOT TO PASS READ and ACCEPTED.**

READ.

On motion of Representative MOONEN of Portland, Report "A" **Ought Not to Pass** was **ACCEPTED** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-699)** on Bill "An Act to Amend the Laws Regarding the Mi'kmaq Nation"

(H.P. 1045) (L.D. 1620)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York
BRAKEY of Androscoggin

Representatives:

MOONEN of Portland
ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford
KUHN of Falmouth
LEE of Auburn
MORIARTY of Cumberland
RECKITT of South Portland
SHEEHAN of Biddeford

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representative:

POIRIER of Skowhegan

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-699)** Report.

READ.

Representative MOONEN of Portland moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative POIRIER of Skowhegan **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Acceptance of the Majority **Ought to Pass as Amended** Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 305

YEA - Albert, Andrews, Ankeles, Ardell, Arford, Babin, Bell, Blier, Boyer, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collamore, Collings, Copeland, Crafts, Craven, Cray, Crockett, Dhalac, Dill, Dodge, Doudera, Faulkingham, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Guerrette, Hasenfus, Hepler, Hobbs, Hymes, Jackson, Jauch, Kessler, Kuhn, Landry, Lanigan, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett H, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, Newman, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Sheehan, Skold, Stover, Strout, Supica, Swallow, Terry, Theriault, Warren, White B, Williams, Woodsome, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Arata, Bagshaw, Bradstreet, Campbell, Carlow, Carmichael, Costain, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Haggan, Hall, Henderson, Lavigne, Lemelin, Libby, Lyman, Mason, Morris, Ness, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmearsal-Burgess, Simmons, Smith, Soboleski, Thorne, Underwood, Walker, White J, Wood.

ABSENT - Abdi, Eaton, Javner, Shaw.

Yes, 98; No, 48; Absent, 4; Vacant, 0; Excused, 1.

98 having voted in the affirmative and 48 voted in the negative, with 4 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-699)** was **READ** by the Clerk and **ADOPTED.**

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-699)** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-669)** on Bill "An Act to Complete and Implement the Comprehensive Review of the Classification and Compensation System for Executive Branch Employees"

(H.P. 1184) (L.D. 1854)

Signed:

Senators:

NANGLE of Cumberland
BALDACCI of Penobscot

Representatives:

STOVER of Boothbay
ABDI of Lewiston
COPELAND of Saco
DHALAC of South Portland
PAULHUS of Bath
RISEMAN of Harrison

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-670)** on same Bill.

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ADAMS of Lebanon
GREENWOOD of Wales
POMERLEAU of Standish
UNDERWOOD of Presque Isle

READ.

On motion of Representative STOVER of Boothbay, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE. Committee Amendment "A" (H-669)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-669)** and sent for concurrence.

Seven Members of the Committee on **JUDICIARY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-693)** on Bill "An Act to Increase the Liability of Parents and Legal Guardians for Damage by Children"

(H.P. 85) (L.D. 139)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

MOONEN of Portland
KUHN of Falmouth
MORIARTY of Cumberland

RECKITT of South Portland

SHEEHAN of Biddeford

Five Members of the same Committee report in Report "B" **Ought to Pass** on same Bill.

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford
POIRIER of Skowhegan

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-694)** on same Bill.

Signed:

Representative:

LEE of Auburn

Representative DANA of the Passamaquoddy Tribe - of the House - supports Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-693)**.

READ.

On motion of Representative MOONEN of Portland, Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE. Committee Amendment "A" (H-693)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-693)** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

Eleven Members of the Committee on **JUDICIARY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-680)** on Bill "An Act Regarding the Maine Indian Tribal-State Commission"

(H.P. 1078) (L.D. 1679)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York
BRAKEY of Androscoggin

Representatives:

MOONEN of Portland
ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford
KUHN of Falmouth
MORIARTY of Cumberland
RECKITT of South Portland
SHEEHAN of Biddeford

One Member of the same Committee reports in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (H-681)** on same Bill.

Signed:

Representative:

LEE of Auburn

One Member of the same Committee reports in Report "C" **Ought Not to Pass** on same Bill.

Signed:

Representative:

POIRIER of Skowhegan

Representative DANA of the Passamaquoddy Tribe - of the House - supports Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-680)**.

READ.

On motion of Representative MOONEN of Portland, Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-680)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-680)** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

An Act to Ban the Video Hosting Service TikTok on All State-owned Devices (EMERGENCY)

(H.P. 643) (L.D. 1007)

(C. "A" H-570)

TABLED - June 20, 2023 (Till Later Today) by Representative FAULKINGHAM of Winter Harbor.

PENDING - **PASSAGE TO BE ENACTED**.

On motion of Representative GREENWOOD of Wales, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-570)**.

On further motion of the same Representative, the rules were **SUSPENDED** for the purpose of **FURTHER RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-570)** was **ADOPTED**.

The same Representative **PRESENTED** House **Amendment "A" (H-647)** to **Committee Amendment "A" (H-570)** which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Wales, Representative Greenwood.

Representative **GREENWOOD**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. This was a Unanimous Committee Report out of State and Local. However, on our very last day, we realized that we needed to add something, we needed to add an exception to this bill. The Good Representative from Boothbay and I had conferred and I proposed the exception be that we add access if necessary for life, health, safety or investigative purposes in accordance with an agency's policy. Thank you, Madam Speaker.

Subsequently, **House Amendment "A" (H-647)** to **Committee Amendment "A" (H-570)** was **ADOPTED**.

Committee Amendment "A" (H-570) as Amended by **House Amendment "A" (H-647)** thereto was **ADOPTED**.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-570) as Amended by House Amendment "A" (H-647)** thereto in **NON-CONCURRENCE** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

HOUSE REPORT - **Ought to Pass as Amended by Committee Amendment "A" (H-613)** - Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Ensure Efficiency in Petitions Reviewed by the Secretary of State by Clarifying Deadlines Related to Those Petitions"

(H.P. 154) (L.D. 233)

TABLED - June 20, 2023 (Till Later Today) by Representative SUPICA of Bangor.

PENDING - **ACCEPTANCE OF COMMITTEE REPORT**.

Subsequently, the Unanimous Committee Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-613)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules, the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-613)** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act to Reform the School Budget Referendum Process by Limiting the Circumstances in Which Referenda Occur"

(H.P. 1127) (L.D. 1748)

Majority (12) **OUGHT TO PASS AS AMENDED** Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-638)** in the House on June 20, 2023.

Came from the Senate with the Minority (1) **OUGHT NOT TO PASS** Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act to Increase Adoption of Solar Power in Maine"

(H.P. 780) (L.D. 1232)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-603)** in the House on June 21, 2023.

Came from the Senate with the Minority (6) **OUGHT NOT TO PASS** Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Resolve, to Establish the Commission to Study the Constitution of Maine

(S.P. 740) (L.D. 1824)

Majority (9) **OUGHT NOT TO PASS** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** in the House on June 21, 2023.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Minority (4) **OUGHT TO PASS AS AMENDED** Report of the Committee on **JUDICIARY** was **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-305)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act to Increase the Notice Period for Rent Increases"

(H.P. 470) (L.D. 701)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-561) in the House on June 16, 2023.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-561) AS AMENDED BY SENATE AMENDMENT "A" (S-407)** thereto in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

Non-Concurrent Matter

Bill "An Act to Amend the Portfolio Requirements for Class II Resources"

(H.P. 250) (L.D. 399)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-639) in the House on June 21, 2023.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-639) AS AMENDED BY SENATE AMENDMENT "A" (S-405)** thereto in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

COMMUNICATIONS

The Following Communication: (S.C. 647)

**MAINE SENATE
131ST LEGISLATURE
OFFICE OF THE SECRETARY**

June 21, 2023

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Minority Ought Not to Pass Report from the Committee on Criminal Justice and Public Safety on Bill "An Act to Prohibit the Sale or Possession of Rapid-fire Modification Devices" (H.P. 854) (L.D. 1340) in non-concurrence.

Best Regards,

S/Darek M. Grant

Secretary of the Senate

READ and **ORDERED PLACED ON FILE**.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

The following items were taken up out of order by unanimous consent:

COMMUNICATION

The Following Communication: (H.C. 220)

**MAINE SENATE
131ST LEGISLATURE
OFFICE OF THE SECRETARY**

June 13, 2023

The Honorable Robert B. Hunt

Clerk of the Maine House

131st Maine Legislature

2 SHS

Augusta, Maine 04333

Dear Clerk Hunt,

Please be advised that the President of the Senate appointed the following conferees to the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill,

"An Act to Direct the Maine Criminal Justice Academy to Develop a Nonresidential Law Enforcement Training Program" (H.P. 442) (L.D. 673):

Senator Peggy Rotundo, Androscoggin County
Senator Donna Bailey, York County
Senator Eric Brakey, Androscoggin County
Best Regards,
S/Darek M. Grant
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

ENACTORS

Emergency Measure

An Act to Address Maine's Affordable Housing Crisis (H.P. 147) (L.D. 226) (C. "A" H-673)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 103 voted in favor of the same and 14 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Support the Maine Pediatric and Behavioral Health Partnership Program (H.P. 152) (L.D. 231) (C. "A" H-685)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 113 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Amend the State Tax Laws (H.P. 1153) (L.D. 1808) (C. "A" H-687)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 108 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Enact the Maine Indian Child Welfare Act (S.P. 804) (L.D. 1970) (C. "A" S-413)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 113 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act Regarding Training for Corrections Officers (S.P. 34) (L.D. 42) (C. "A" S-392)

An Act to Ensure Access to Family Planning Services (H.P. 168) (L.D. 263) (C. "A" H-683)

An Act Regarding Private Ways and Private Roads (S.P. 215) (L.D. 461) (C. "A" S-399)

An Act to Improve Ferry Service Reliability by Providing Scholarships at the Maine Maritime Academy (S.P. 466) (L.D. 1139) (C. "A" S-406)

An Act to Amend the Workers' Compensation Self-insurance Laws to Allow for the Use of Fronting Companies (H.P. 886) (L.D. 1372) (C. "A" H-682)

An Act to Amend the Adult Use Cannabis Laws (H.P. 1205) (L.D. 1880) (H. "A" H-695 to C. "A" H-684)

An Act to Ensure Equity in Career and Technical Education Staffing Support Ratios Across Varied Regions of the State (S.P. 791) (L.D. 1942) (C. "A" S-393)

Were reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Align the Proceedings for Circulating Written Petitions for People's Vetoes and Direct Initiatives with Federal Law

(S.P. 597) (L.D. 1477) (C. "A" S-394; S. "A" S-408)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being a Constitutional Amendment, a two-thirds vote of the House being necessary, a total was taken. 103 voted in favor of the same and 32 against, and accordingly the Resolution was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Promote Fairness in the Taxation of Adult Use Cannabis (S.P. 549) (L.D. 1384) (C. "A" S-402)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 104 voted in favor of the same and 10 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Expand Maine's High-quality Early Learning and Care for Children by Increasing Public Preschool Opportunities in Communities

(S.P. 724) (L.D. 1799)
(C. "A" S-395)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 109 voted in favor of the same and 11 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act to Improve Maine's System for Protecting Sixth Amendment Rights

(S.P. 236) (L.D. 565)
(C. "A" S-386)

An Act to Clarify Required Disclosure of Personally Identifying Information for Certain Nominating Petitions

(S.P. 393) (L.D. 922)
(S. "A" S-409 to C. "A" S-345)

An Act to Provide Equitable Tax Treatment to State-licensed Cannabis Businesses

(S.P. 432) (L.D. 1063)
(C. "A" S-400)

An Act to Establish a Grant Program to Promote Biomufacturing and Biotechnology Development

(S.P. 595) (L.D. 1475)
(C. "A" S-401)

An Act to Implement the Recommendations of the Committee To Ensure Constitutionally Adequate Contact with Counsel

(S.P. 635) (L.D. 1603)
(C. "A" S-387)

Were reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Resolve

Resolve, to Direct the Department of Transportation to Implement the Recommendations of the Mountain Division Rail Use Advisory Council

(S.P. 185) (L.D. 404)
(C. "A" S-346)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

An Act to Clarify the Criminal Statutes with Regard to Assaults on Emergency Medical Services Persons

(S.P. 453) (L.D. 1119)
(C. "A" S-360)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative MILLIKEN of Blue Hill, was **SET ASIDE**.

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Blue Hill, Representative Milliken.

Representative **MILLIKEN**: Thank you, Madam Speaker. LD 1119 with Amendment "A" creates a new felony crime of assaulting a person who works in an emergency department. Under current Statute, it is already a crime to commit this offense; this bill would just elevate it from a misdemeanor to a felony offense. We currently in this State, we've talked about it on many different occasions here in this Chamber and also in various Committees, have a crisis situation around our mental health care infrastructure. Many of our friends and family members are languishing in emergency departments for many, many days, or sometimes months, and often simply because there are not places to place them when they are suffering from serious mental health crisis. This bill would make it that if those folks were to assault a person who works in an emergency department, they would be charged with a felony. I'm not going to go too far here but I know that there are Members of this Chamber who have family members who would have been charged with felony offenses had this bill been enacted, say, a year ago. I don't think that this is a good move for our State. I would appreciate it if everyone would consider following my light in objecting to this enactment. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Salisbury.

Representative **SALISBURY**: Thank you, Madam Speaker. Madam Speaker, this bill as it came through the Criminal Justice Committee was a result of a study that was called the Task Force to Study the Process for Bringing Criminal Cases in Situations of Violence Against Health Care Workers. I think we've heard regularly over this Session, we've heard about the increasing violence on medical providers and specifically people trying to provide emergency care. And one of the very clear points that was made in this study, let me read to you, it says there is no intent to criminalize behaviors that are driven by a medical condition that prevents comprehension. It was very clear that treating somebody that potentially had a mental health issue was not the intent of trying to convict them of a crime. But what this bill does do is protect people like my daughter, my sisters-in-law, my nephew and my brother. And anything that we can do to provide those people providing those emergency medical services, we need to do, while still protecting people that are perhaps dealing with some mental health or substance use disorders without making it okay for them to hurt other people.

The SPEAKER: The Chair recognizes the Representative from Calais, Representative Perry.

Representative **PERRY**: Thank you, Madam Speaker. I was part of the Task Force that looked at this and, quite honestly, we are not creating a new crime, that crime was already there. What we did through the process is we talked with mental health, we talked with DAs and we talked with police to find ways that we can work together and do a better job. Now, I will say if mental health is an issue, that evaluation gets done beforehand. Some of what this does is the only way somebody could be charged is if you were treating the person. So, you would have to be hands-on with the person. Unfortunately, sometimes the only thing you have to do is be in that space, whether you're a radiology tech, whether you are cleaning the floor, and it isn't always the patients who do this. And I will say in my small hospital, I received notes from the director of the emergency room and a nurse who dealt with some severe trauma and was out for quite a while because of an attack within the emergency room. We now have a nurse with PTSD who is not able to go back to work. Yes, we have to have safeguards on both sides. This does not rule out the fact that if you have a

mental health and if that is really what's going on, it is not a Class C crime. So, all of the factors have to be looked at when an event like this occurs. Thank you.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Lookner.

Representative **LOOKNER**: Thank you, Madam Speaker. I rise in opposition to enactment today as a former EMT, as the son of a nurse, as someone with a lot of love for everyone who works in the emergency medical field. What this bill does, I fear, will not create more public safety, it will only result in more people with mental health and behavioral health issues ending up in jail.

In my last several Sessions on the Criminal Justice and Public Safety Committee, we have seen multiple attempts for folks working in all sectors in the economy, from health care to education to public transit, who are increasingly subject of a failed mental health system that's resulting in people with no support who are acting out in public and that's resulting in violence and we really need to get our arms around that. This is not the way to do it. We absolutely have to create more public safety. Creating a greater elevated crime for every single sector of the economy who are increasingly subject to the failures of our failed mental health system is not the way to do it and that's what we're seeing. One by one by one, every single profession is coming to us and asking well, when we're subject to assault, it's worse. And soon enough, every single simple assault could result in a five-year prison sentence versus a one-year prison sentence.

The real problem here is that police and DAs are not doing their jobs. They can totally prosecute people. They can go into hospitals, they can create the safety in those situations that they need to, they have the tools already at their disposal without having a Class C crime to prosecute. And that's what we need to be focusing on. Also, what we heard from nurses who are concerned about this is that they want to be able to compel mental health treatment when a Class D crime is committed and in our Amendment on Committee Amendment "B", I believe, we are able to compel folks into probation and into mental health treatment when they commit a simple assault in an emergency room. So, that's the road I would like to see us go. Creating more and more crimes across the board is not the right approach, it doesn't create more public safety, it will only result in more people suffering with mental health issues in our prisons and jails. So, please follow my light.

The SPEAKER: The Chair recognizes the Representative from Poland, Representative Boyer.

Representative **BOYER**: Thank you, Madam Speaker. If I could pose a question through the Chair?

The SPEAKER: The Member may proceed.

Representative **BOYER**: Thank you, Madam Speaker. Just wondering if this creates an elevated crime for assault or not; in my view, assault is assault and should be across the board, so, I'm wondering if any Members could explain it to me a little bit better. Thank you.

The SPEAKER: The Member has posed a question to anyone who can answer. The Chair recognizes the Representative from Blue Hill, Representative Milliken.

Representative **MILLIKEN**: Thank you, Madam Speaker. Amendment "A" elevates the crime from a Class D to a Class C offense, so, it elevates it from what we colloquially call a misdemeanor to a felony offense. Amendment "B" removes the felony offense and adds a probationary period. So, the punishment would still be more strict. The Amendment "B" still offers a more strict punishment for people who assault people who work in emergency departments, they just won't have the

added felony charge, which as many of us know; all of us, I hope, know; follows people for the rest of their lives and deeply impacts many of their opportunities going forward. Thank you.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Copeland.

Representative **COPELAND**: Thank you, Madam Speaker. I'd like to tell a story about something that I personally witnessed. So, when you have some person that's in mental health crisis, where are you going to go? If you're not going to go to the ER, where they can treat it, monitor, diagnose. So, having a diagnosis beforehand is one thing but when you don't know this is happening to you and what's going on and you have to be restrained and you're in a hallway because that's how they can monitor you, it's humiliating, it's a horrible thing to watch. And to add a felony charge or any criminal charge to someone who is seeking mental health care, I think that's a travesty and I don't know where people should go if they have mental health problems if not the ER. What are the other choices? So, now we're telling people you've got to go get treated but then, if you do and you're triggered in several different ways, you could be a felon. That's absolutely ridiculous and horrifying that someone who is seeking mental health could be charged with a felony or even a misdemeanor charge.

I understand the health care industry and all that but, you know, as a Body, we need to fund the mental health care system. We need places for people to go when they're having a mental health crisis rather than an ER and I think that there's other things that we can do other than this. I will be voting against this. Thank you.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Lanigan.

Representative **LANIGAN**: Thank you, Madam Speaker, and Members of the House. Listening to this conversation, it becomes obvious to me as we're almost tackling this like our opiate problem; we have no clue. When people go to the hospital and they're in that state, there's different diagnoses that are probably over any of our heads here, not being licensed physicians or doctors, that cause people to have outrage and outbreaks and, you know, it can be close confinement, it can be multiple different things and for people seeking help, it's kind of funny to me that we're looking now to punish them even more. I mean, they've already got society punishing them by not understanding what's going on and not funding any solutions.

So, I guess my question is; is what are we really trying to accomplish here? Are we trying to just arrest our way again out? Are we trying to leverage an assault charge so we can then plea it down in court and then plea it down to a misdemeanor to make it easier for the prosecutor on some other charge? I don't really know. It sounds a little mundane and I'm not understanding, actually, why this is even an option. Most hospitals have security, most places have police departments, and I think that we should leave it up to that aspect and not the doctors to be influencing if we're pressing felony charges against people that are seeking help and determining the outcome of their life with one instance of maybe possible mental illness. I don't think we're talking about someone that just walks in and wants to punch a nurse in the mouth because they asked them to take a vaccine or something. So, I don't know, I'm very confused on why this bill is and I'm going to be voting against it. Thank you so much.

The SPEAKER: The Chair recognizes the Representative from Old Orchard Beach, Representative Gramlich.

Representative **GRAMLICH**: Thank you, Madam Speaker, Colleagues of the House. Madam Speaker, I never thought in my legislative career that I would ever be standing up

to say I did not intend to speak on this, but here I am. Madam Speaker, I can't speak to the classification of crimes that my colleagues have alluded to, but I do know that we have a beyond-fractured mental health system in the State of Maine. For 20 years, we have failed to put adequate funding into prevention-based mental health treatment for both children and adults.

Madam Speaker, nobody wakes up one day and says gee, today's the day I think I'd like to have appendicitis. Just like they don't wake up and say today's the day I want to have severe depression or anxiety so bad that I can't get out of bed. Let's face it; when people go to the emergency department, it's not their best day. They don't choose to necessarily go there. My husband, Madam Speaker, is one of the individuals that my colleague from the Criminal Justice Committee alluded to in terms of family members that work in emergency departments and in hospitals. He's a radiological technologist and he has shared with me over the past three years the increased rates of people in emergency departments with chronic and persistent acute mental health conditions. These people don't intend to be violent, Madam Speaker, but nonetheless, their illness might cause them to become violent. I think it's incumbent upon us, Madam Speaker, to put the funding into prevention-based treatment to prevent these folks from ever being hospitalized but not to criminalize them. I support the Representative from Blue Hill's motion. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Madigan.

Representative **MADIGAN**: Thank you, Madam Speaker. I've worked for, I don't know, over 35 years in mental health. So, I'm well aware of the crisis we have. Some of that time, I've been the person who does crisis assessments in the emergency room. The situation is substantially different now than it was back when I did that. I love hearing everyone talk about how we need to fund mental health and I truly wish I could believe everyone here actually believe that. The Appropriations Table is full of a bunch of bills about that, I'd love to see us actually prioritize them, but it's interesting because I didn't see a lot of those things prioritized. Do I think prioritizing those things would impact this problem in a positive way? I absolutely do. But I also know that this bill came out of a bill put in in HHS Committee last Session and there was a work group created. It was a bill that the Good Representative from Calais put in, I believe, and she was on the work group.

I don't generally believe in increasing the penalties on people, increasing the level of crime. But I am also a person who spent a lot of times in emergency rooms in the past few years and I think, let's be honest with ourselves, not only do we have a mental health crisis and a substance use disorder crisis, a health care crisis in general, we also have a crisis in behavior. And I think that often health care workers have been at the forefront of that and if you look at the testimony of some of the nurses actually provided that what they experience working in the emergency rooms, it's pretty shocking. Patients or family members telling folks I know where you live, I know where you parked your car, I'm going to rape you, things like that. I am not condoning us increasing the level of a crime. What I am saying is that this is a work group that worked really hard on this to try and make a safer workplace for people. I do not think the answers to our mental health crisis are found in prisons at all and, in fact, I have great ideas if we want to fix that. We should have more ICMs and I got a list of things we could do that would be much more effective. But I also think we have to do something about this problem. I hope you'll vote with the Majority Report on this and I also think we'll all take a look at the

role we all play in presenting an acceptable form of behavior for the folks we represent. So, thank you very much.

The SPEAKER: The Chair recognizes the Representative from Oakland, Representative Nutting.

Representative **NUTTING**: Thank you, Madam Speaker, Men and Women of the House. This is a bipartisan Majority Committee Report that we're voting on. We all know nurses, a lot of us have nurses in our families. My son's wife is an emergency room nurse in Waterville. The stories that we hear about the abuse. Nurses and hospital workers bend over backwards not to complain about somebody who is having a bad day in the emergency room who lashes out. This isn't that. They won't report these people, they don't report them now. What they need to report and have a crime with punishment sufficient enough to make people think twice about doing it is when they smack the nurse around, and not just the nurse but they guy who's cleaning the floor or the woman who's cleaning the floor. To take physical abuse because somebody is just being a bad actor is not the same. They allow people on their bad days, their worst days, to lash out and they don't do anything about them except comfort them. This isn't about those people.

Madam Speaker; now you got me doing it; Madam Speaker, would you please have the Clerk read the Committee Report?

The same Representative **REQUESTED** that the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

The SPEAKER: The Chair recognizes the Representative from North Yarmouth, Representative Graham.

Representative **GRAHAM**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I stand in strong support in enactment of this bill. This came from very good work by the Good Representative from Calais and other colleagues. We have to recognize that when people are in emergency medical services, they are risking their life to care for others. We have a significant nursing shortage, a significant health care shortage. This is not a good idea to say no to this particular bill. Being on Health and Human Services, we know so well the deficiencies and the problems in our mental health system and we need to fix them. But we need to keep our emergency medical services individuals safe so they can keep trying to care for patients. I echo the sentiments of the Good Representative from Oakland and I please ask you to support this bill.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Lookner.

Representative **LOOKNER**: Thank you, Madam Speaker, in indulging me and letting me rise twice to speak on this bill. I just want to repeat an often-said phrase when I was working as an EMT, that EMTs and emergency medical personnel often are encountering and interacting with people on the worst days of their lives and to increase criminal penalties for folks who are acting out in a really desperate state, I don't believe is a valid route to public safety. And I do want to just reiterate that on Committee Amendment "B" we have the ability to compel treatment, compel probation and I think that is a valid route forward. Thank you.

Representative **NUTTING**: Point of Order.

The SPEAKER: The Chair recognizes the Representative from Oakland, Representative Nutting, and inquires as to why he rises.

Representative **NUTTING**: Unfortunately, the Representative is speaking about an amendment that is not before us.

On **POINT OF ORDER**, Representative NUTTING of Oakland asked the Chair if the remarks of Representative LOOKNER of Portland were germane to the pending question.

The **SPEAKER**: The Chair would remind Members to limit their comments to the proposals before the Body.

The Chair reminded Representative LOOKNER of Portland to stay as close as possible to the pending question.

The **SPEAKER**: The Chair recognizes the Representative from Bangor, Representative Rana.

Representative **RANA**: Thank you, Madam Speaker. I rise in opposition to the pending motion and hope to pose a question through the Chair?

The **SPEAKER**: The Member may proceed.

Representative **RANA**: This bill came from a working group and my question is, did this group include directly impacted people, being people who have suffered from mental health crisis?

The **SPEAKER**: The Member has posed a question to anyone who can answer. The Chair recognizes the Representative from Waterville, Representative Madigan.

Representative **MADIGAN**: Thank you for allowing me to rise to speak again, Madam Speaker. I would just like to remind people that; for everyone concerned about the mental health crisis, as I said before, there's a ton of bills sitting on the Appropriations Table. Many of them have been there year after year after year, Session after Session after Session. So, it should come as no surprise that we should actually prioritize them and I would truly love to see that across many Committees, parties, independents, whatever. I would also like to remind people that this work is very difficult, people that do it, and no one who participated in that working group took that lightly. So, thank you very much.

The **SPEAKER**: The Chair recognizes the Representative from Dover-Foxcroft, Representative Perkins.

Representative **PERKINS**: Thank you, Madam Speaker, Members of the House. I'm one of the Members of the Committee whose family has been directly affected by this. I have multiple nurses in my family and one of my daughters has left the health care industry. She was an RN in the emergency room and she was severely assaulted and suffered some injury and has not gone back to the health care industry. I appreciate all the thoughtful comments from all my fellow Committee Members but especially the comments of the Good Representatives from Oakland and Waterville and Westbrook, I believe. And, you know, it is important to understand that when going through this bill, nobody is looking towards prosecuting anybody that might be in an altered mental state or suffering from a mental crisis and we have similar laws that protect law enforcement and EMS workers and, you know, we don't prosecute anybody that, you know, might assault an officer because of those but we only, you know, prosecute those people that are belligerent, law enforcement officers don't seek charges on that and District Attorneys don't, either. And I don't foresee that it would be the case if we passed this bill. So, thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Pittsfield, Representative Collamore.

Representative **COLLAMORE**: Thank you, Madam Speaker. I rise to answer the question that was posed. So, those of you who do not know, Madam Speaker, I was on this Task Force and not only as a Representative from this side of the aisle, but also as a behavioral health professional and as somebody who has suffered from mental illness myself. And one of the things that you need to keep in mind, Madam Speaker, when you're making your decision on this is that I

fought really hard with the Good Representative from Calais to make sure when we were on that Task Force that nothing was recommended that would impact negatively anybody with mental health. And what I hope is that we've learned today that we will end up funding all of the things that need to be funded for mental health services so that this law won't even matter because they will be getting the help that they need. But we have to do something to protect the people who are in those areas who are not working with patients necessarily directly, like the radiologist who may just be in to take a quick image or the person cleaning the room who is in there because we have to keep hospital rooms sanitary. This bill, when the original bill came through into the Task Force, they wanted it to expand to all health care facilities. And we thought that was unreasonable because of the concern for mental health patients. And we really wanted to direct it to the emergency areas only and anybody who is in the facility of those emergency rooms so that they are all protected.

Now, ideally, people won't sit; we had numbers in front of us, we had 90 days plus that some of these people are sitting in these emergency rooms. And they should not be there, Madam Speaker. They should be in facilities where they can get true help but this does not negatively impact those individuals. It impacts the ones who come in, come out of their room and say I'm going to punch this nurse in the face. And regardless of whether or not people actually wake up thinking that, there are sometimes people who do think that and they just want to get out anger for whatever reason. And we need to protect the people serving our State in those emergency rooms. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Blue Hill, Representative Milliken.

Representative **MILLIKEN**: Thank you, Madam Speaker, for allowing me to rise one more time. I'll be very brief. I just wanted to point out, and I don't ask for the Roll Call because I dislike people who work in emergency departments, I understand the crisis situation that they're facing and the unfortunate situations they're facing. Most people, I think, who are about to assault someone who sits in an emergency department doesn't think that now, they won't because it will be a felony as opposed to a misdemeanor. I don't think that's a logical expectation, so, I don't see that this bill will do anything to actually curb the incidents of violence being enacted on people who work in emergency departments. So, I just think that's worth bearing in mind. Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Calais, Representative Perry.

Representative **PERRY**: Yes, thank you. I just wanted to make one observation. The decision on the Class C crime was to equalize it with what EMTs already have in terms of a Class C crime. This is only adding the emergency personnel in an emergency department.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 306

YEA - Adams, Albert, Andrews, Ankeles, Arata, Ardell, Arford, Babin, Bagshaw, Bell, Blier, Boyle, Bradstreet, Bridgeo, Campbell, Carlow, Carmichael, Cloutier, Collamore, Costain, Crafts, Craven, Cray, Cyrway, Davis, Dill, Doudera, Drinkwater, Ducharme, Dunphy, Faulkingham, Fay, Foster, Fredericks, Galletta, Gattine, Gifford, Graham, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hepler, Hymes, Jackson, Landry, Lanigan, Lavigne, Lemelin, Libby, Lyman, Madigan, Malon, Mason, Mastraccio, Matlack, Meyer, Millett H, Moriarty, Morris, Murphy, Ness, Newman, Nutting, O'Connell, Parry, Paul,

Perkins, Perry A, Perry J, Poirier, Polewarczyk, Pomerleau, Pringle, Quint, Rielly, Riseman, Roberts, Runte, Russell, Sachs, Salisbury, Sampson, Sargent, Schmursal-Burgess, Shagoury, Sheehan, Simmons, Smith, Soboleski, Strout, Swallow, Terry, Thorne, Underwood, Walker, White B, White J, Wood, Woodsome, Worth, Zager, Zeigler.

NAY - Boyer, Brennan, Cluchey, Collings, Copeland, Dhalac, Dodge, Geiger, Gere, Golek, Gramlich, Hasenfus, Hobbs, Jauch, Kessler, Kuhn, Lee, Lookner, Mathieson, Millett R, Milliken, Montell, Moonen, O'Neil, Osher, Paulhus, Pluecker, Rana, Reckitt, Roeder, Sayre, Shaw, Skold, Supica, Theriault, Warren, Williams, Madam Speaker.

ABSENT - Abdi, Crockett, Eaton, Javner, LaRochelle, Rudnicki, Stover.

Yes, 105; No, 38; Absent, 7; Vacant, 0; Excused, 1.

105 having voted in the affirmative and 38 voted in the negative, with 7 being absent and 1 excused, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

Acts

An Act to Amend the Portfolio Requirements for Class II Resources and Require Money Collected from Alternative Compliance Payments to Be Used for Financial Assistance

(H.P. 250) (L.D. 399)
(S. "A" S-405 to C. "A" H-639)

An Act to Increase the Notice Period for Rent Increases of 10 Percent or More

(H.P. 470) (L.D. 701)
(S. "A" S-407 to C. "A" H-561)

Were reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-410)** on Bill "An Act to Require a Liability Automobile Insurance Policy to Cover the Costs of Towing and Storing Certain Vehicles"

(S.P. 666) (L.D. 1661)

Signed:

Senators:

BAILEY of York
RENY of Lincoln

Representatives:

PERRY of Calais
ARFORD of Brunswick
CLUCHEY of Bowdoinham
MASTRACCIO of Sanford

MATHIESON of Kittery

PRINGLE of Windham

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

CYRWAY of Albion

MORRIS of Turner

SWALLOW of Houlton

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-410)**.

READ.

Representative PERRY of Calais moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

The SPEAKER: The Chair recognizes the Representative from Turner, Representative Morris.

Representative **MORRIS**: Thank you, Madam Speaker. I would oppose this motion and I would request a Roll Call.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 307

YEA - Andrews, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Crafts, Craven, Dhalac, Dill, Dodge, Doudera, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Greenwood, Hasenfus, Hepler, Hobbs, Jackson, Jauch, Kuhn, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Poirier, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Supica, Terry, Warren, White B, Williams, Wood, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Copeland, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Griffin, Guerrette, Haggan, Hall, Henderson, Kessler, Landry, Lavigne, Lee, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Polewarczyk, Pomerleau, Quint, Sampson, Schmursal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Woodsome.

ABSENT - Abdi, Crockett, Eaton, Hymes, Javner, Lanigan, LaRochelle, Rudnicki, Stover.

Yes, 78; No, 63; Absent, 9; Vacant, 0; Excused, 1.

78 having voted in the affirmative and 63 voted in the negative, with 9 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-410)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-410)** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act Regarding State Recognition of Native American Tribes"

(H.P. 210) (L.D. 336)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

MOONEN of Portland
ANDREWS of Paris
HENDERSON of Rumford
KUHN of Falmouth
LEE of Auburn
MORIARTY of Cumberland
RECKITT of South Portland
SHEEHAN of Biddeford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-691)** on same Bill.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

HAGGAN of Hampden
POIRIER of Skowhegan

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought Not to Pass** Report.

READ.

Representative MOONEN of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The **SPEAKER**: The Chair recognizes the Representative from Skowhegan, Representative Poirier.

Representative **POIRIER**: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, I rise before you today because I'm saddened by the way this piece of legislation was handled and the direction it seems to be heading in. I submitted LD 336 in response to a bill submitted in the 130th to grant the people of the Kineo Band of Maliseets State recognition. Before the vote the Committee that Session, it was stated that no one disputed that they are a tribe, but the timing was not right due to the sovereignty bills on the table. It was also stated that the State needed a clear process to grant recognition. This year, I presented this bill in response, which is a clear process for a tribe to file for State recognition. The process is very similar to a process adopted into Vermont Law in 2010 and since then, Vermont's granted state recognition to four tribes, so it does work. This bill establishes a Commission. The Commission is comprised of scholars appointed by the Chief Executive, the University of Maine would provide a list of qualified candidates to the Chief Executive for consideration. The Commission will study documents and historical information presented by the tribe and make a recommendation to the Legislature if they find the applicant should be granted State recognition.

The Kineo band are the only tribe in Maine that I'm aware of to seek State recognition. They have been seeking this recognition for over a decade. Thirteen years, Madam Speaker. I don't know of any other race of people who are asked to show a card to prove their race. Can you imagine how it feels to be Native American right here in Maine and have people question your race and heritage by asking what tribe you belong to and asking to see a membership card for proof? For the Kineo Maliseet, this is their reality. Current tribes in Maine have testified in opposition to the Kineo Band of Maliseets being recognized by the State. Their argument is that the people of Kineo should have to go through federal recognition process. Madam Speaker, federal recognition is very expensive and a lengthy process that could take decades. It's important to note that the Penobscot and Passamaquoddy became federally recognized after court decisions in 1976 and the Aroostook Band of Maliseets was given recognition through the '80s Settlement Act. The Mi'kmaq Nation had to fight harder because they did not have the land needed to gain recognition under the federal requirements. They worked for years to purchase land and were granted recognition in '91. Throughout the recognition process of the Maliseet and Mi'kmaq Nations, the Penobscot and Passamaquoddy fought against that recognition. We see the fight here again today. The Kineo Band of Maliseets are a small tribe of under a hundred people, but they are their own tribe, nonetheless. Many of the members have attempted to join the Aroostook Band, only to be turned away.

Madam Speaker, we as a State should not turn our backs on these people when they're pleading with us for recognition. State recognition would grant them the peace of mind, body and soul and many of their members have passed away not knowing that the State would ever even recognize them as Natives, feeling that no one cared about their heritage. State recognition would open opportunities for the tribe to apply for funding through federal and private grants so that they could build a cultural preservation center. Without recognition, they fear that one day soon, they will become a forgotten people. LD 336 clearly states that there are no land claims, no gaming rights if a tribe were to become State recognized. This bill does not automatically grant their recognition. It creates a fair process and an opportunity for the Kineo to apply for State recognition.

Madam Speaker, I know that the sovereignty bills are extremely important to you and I know that you care deeply about our Native American neighbors and I know that the tribes have expressed their opposition to you regarding the Kineo Band of Maliseets. LD 336 was granted a public hearing on March 9th. It was two months and 10 days before a work session took place at your request, with the expectation that the bill would be killed. Madam Speaker, I have to ask you why. Why is the recognition of the Kineo people less important than sovereignty? Why do the Kineo people have to fight so hard to beg us for recognition for who they are and why does one tribe hold back another while fighting for their own sovereignty? Passing LD 336 will give the Kineo Band of Maliseets hope. I'm confident that a thorough examination of documents, timelines and all of their historical artifacts will show that they are indeed a tribe of their own. So, I ask you, Madam Speaker, before you cast your vote, to please consider what I have said. Don't cast the Kineo aside. Give them hope and show them that we see them, we hear them and we are indeed on their side. Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Dover-Foxcroft, Representative Perkins.

Representative **PERKINS**: Thank you, Madam Speaker, Friends and Colleagues in the House. The Kineo Band of

Maliseets are a proud group of Native Maine people, some of whom are dear friends and constituents. They are a proud people with a rich history and right now that history, with most of their artifacts, are collected and sitting in one very crowded private residence. But the Kineo Band is a small group and their numbers are dwindling. They want to preserve their history and their identity and build a cultural center and museum so their history and their story can be preserved. In order to do so, the Kineo band needs to have State recognition. This bill only allows for a process to be followed for State recognition to occur. It does not grant that recognition. Please support this bill and their chance at State recognition so that they can honor their heritage. Thank you, Madam Speaker.

Representative POIRIER of Skowhegan **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER**: The Chair recognizes the Representative from Presque Isle, Representative Underwood.

Representative **UNDERWOOD**: May I pose a question to the Chair, please?

The **SPEAKER**: The Member may proceed.

Representative **UNDERWOOD**: Would someone explain to me where the Kineo Band of Indians is located?

The **SPEAKER**: The Member has posed a question to anyone who can answer. The Chair recognizes the Representative from Dover-Foxcroft, Representative Perkins.

Representative **PERKINS**: Thank you, Madam Speaker. To answer the question, the ones that I'm aware of mostly are around Piscataquis County and many around the Greenville and Dover-Foxcroft area, Monson area.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Acceptance of the Majority **Ought Not to Pass** Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 308

YEA - Andrews, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Dhalac, Dill, Dodge, Doudera, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Supica, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Jackson, Landry, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Pringle, Quint, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Abdi, Crockett, Eaton, Hymes, Javner, LaRochelle, Rudnicki, Stover.

Yes, 76; No, 66; Absent, 8; Vacant, 0; Excused, 1.

76 having voted in the affirmative and 66 voted in the negative, with 8 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-692)** on Bill "An Act to Prohibit Profiling and to Strengthen Civil Rights in Maine"

(H.P. 1038) (L.D. 1613)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York
BRAKEY of Androscoggin

Representatives:

MOONEN of Portland
HENDERSON of Rumford
KUHN of Falmouth
LEE of Auburn
MORIARTY of Cumberland
RECKITT of South Portland
SHEEHAN of Biddeford

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
POIRIER of Skowhegan

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-692)** Report.

READ.

On motion of Representative MOONEN of Portland, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-692)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-692)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-385)** on Bill "An Act to Implement the Recommendations of the Commission to Develop a Paid Family and Medical Leave Benefits Program"

(S.P. 800) (L.D. 1964)

Signed:

Senators:

TIPPING of Penobscot
DAUGHTRY of Cumberland

Representatives:

ROEDER of Bangor
GEIGER of Rockland
GERE of Kennebunkport
MALON of Biddeford
RUSSELL of Verona Island
SKOLD of Portland

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

POULIOT of Kennebec

Representatives:

BRADSTREET of Vassalboro

DRINKWATER of Milford

GALLETTA of Durham

SOBOLESKI of Phillips

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-385)**.

READ.

Representative ROEDER of Bangor moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative BRADSTREET of Vassalboro **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The **SPEAKER**: The Chair recognizes the Representative from Vassalboro, Representative Bradstreet.

Representative **BRADSTREET**: Thank you, Madam Speaker. First of all, I'm sorry this took this much time. In light of that, you know, I'm going to defer most of my debate points until later, at the next opportunity. I'd urge my colleagues to do likewise, too. There is very strong opposition to this bill and I keep getting more and more all the time, so, I think it'd be better if I defer what I'd like to say until a later time. Thank you, Madam Speaker, and I appreciate your indulgence.

The **SPEAKER**: The Chair recognizes the Representative from Lewiston, Representative Cloutier.

Representative **CLOUTIER**: Thank you, Madam Speaker. Madam Speaker and Women and Men of the House, I rise today in support of LD 1964, a bill that would create the most collaborative and comprehensive paid family and medical leave policy in the United States right here in Maine. After working on this bill for over two years, I am so proud to be able to say those words in this Chamber. For far too long, countless Mainers have been forced to make the impossibly difficult choice between taking time away from work to care for themselves or a loved one and continuing to work so that they can financially provide for their families. It's a dilemma faced by Mainers with an aging parent requiring long-term care who can't afford the services they need and one faced by those who want to start a family but can't take time off to be with their newborn, adopted or foster child. It's a dilemma faced by those with a spouse or child who has been diagnosed with a serious illness and those who have been diagnosed themselves. And it's a dilemma my husband and I faced years ago when my mother was diagnosed with Alzheimer's and her health began to deteriorate.

While we were fortunate to have access to excellent medical care, we did not have access to living conditions that were suitable for the stage of the disease my mother was experiencing. This care partially ended up falling to my husband and I, who needed to also work full time to keep our household and family financially afloat. We split the duties of taking care of her in the evenings and on weekends, juggling schedules to manage our then 10-year-old daughter, two dogs and community responsibilities. Some days, she would come to work with me and spend eight hours reading magazines in the corner of my office. Not an ideal situation for her or for me. I

was blessed to have had this time with my mother and paid family medical leave would've made it possible for both my husband and I to take the time we needed to care for her without having to choose between providing for our family or taking time or productivity away from our jobs. I have no doubt that the time we had together would've been less stressful and more meaningful for all of us. I have heard so many stories from Mainers across the State who could've used PFML to care for their families, too.

Madam Speaker, the United States is the only developed country in the world without a national PFML policy, leaving it up to State Legislatures to piece together solutions. Every other state in New England has a version of a PFML program. Now, we have a momentous opportunity before us to join them. In 2021, the Maine Legislature created the Commission to Develop a Paid Family and Medical Leave Benefits Program to determine the best way to implement an equitable and inclusive policy in our State. We studied existing programs in other states to help determine what solution would best fit here, received input from Maine workers and businesses and considered different funding sources and structures. I was honored to serve as the House Co-Chair of that Commission and I could not be more proud of this work. Our goal has always been to craft a PFML program by Mainers, for Mainers, and this proposal accomplishes just that. It is the result of years of research and compromise. This bill incorporates the ideas and feedback of over 300 Maine organizations including businesses and stakeholder groups, representing the interests of older Mainers, women, foster families, early childhood educators, health care providers, local government and more. The amended version of LD 1964 would provide for a maximum of 12 weeks of paid leave, which cannot be stacked or used consecutively with any other benefit. The program would be funded for a payroll contribution capped at 1% from both employers and employees. This rate would be split, meaning each would likely contribute 0.5% or less. This program is designed to support businesses. Small businesses with less than 15 employees would be exempt from their portion of the benefit contribution while still allowing their employees to participate in the program. It also includes an undue hardship clause to protect small businesses, where employees must be employed for 120 days before earning access to the benefit. Businesses already offering their employees a substantially equivalent private option for paid family medical leave can keep it. While there have been wildly inaccurate numbers floating around about the cost of the program, the Maine Department of Labor estimates in the fiscal note posted on the Legislature's website that startup costs will be \$12 million in the first year and \$13 million in the second year of the biennium and then \$2 million per year for administration going forward.

I am more optimistic than ever before that the time and energy invested into this effort by so many Mainers will result in a truly transformational program for our State and its residents. The program created by this legislation will help our State to recruit and retain workers, support our working families and set Maine on a better path to improved health and economic wellbeing both now and well into the future. Thank you, Madam Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 309

YEA - Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Dhalac, Dill, Dodge, Doudera, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Jackson, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Abdi, Crockett, Eaton, Hymes, Javner, Rudnicki.

Yes, 79; No, 65; Absent, 6; Vacant, 0; Excused, 1.

79 having voted in the affirmative and 65 voted in the negative, with 6 being absent and 1 excused, and accordingly the Majority Ought to Pass as Amended Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-385)** was **READ** by the Clerk.

The SPEAKER: The Chair would like to ask those behind the glass to take their conversations outside of this Chamber. It is getting very difficult to hear each other as we proceed with our work.

Representative BRADSTREET of Vassalboro **PRESENTED House Amendment "A" (H-703) to Committee Amendment "A" (S-385)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Vassalboro, Representative Bradstreet.

Representative **BRADSTREET**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. The reason I presented this Amendment is because this bill will force a lot of expenses on our business community and the people who will be getting the benefit of the employees and this would actually shift a little bit more of the burden of the cost onto the employees, where I do think it belongs. Thank you, Madam Speaker.

Representative TERRY of Gorham **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-703) to Committee Amendment "A" (S-385)**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "A" (H-703) to Committee Amendment "A" (S-385). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 310

YEA - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Jackson, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

NAY - Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Crafts, Craven, Dhalac, Dill, Dodge, Doudera, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

ABSENT - Abdi, Copeland, Crockett, Eaton, Foster, Hymes, Javner, Lanigan, LaRochelle, Rudnicki.

Yes, 63; No, 77; Absent, 10; Vacant, 0; Excused, 1.

63 having voted in the affirmative and 77 voted in the negative, with 10 being absent and 1 excused, and accordingly **House Amendment "A" (H-703) to Committee Amendment "A" (S-385)** was **NOT ADOPTED**.

Subsequently, **Committee Amendment "A" (S-385)** was **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-385)** in concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

The following item was taken up out of order by unanimous consent:

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-420)** on Bill "An Act Regarding the Procurement of Energy from Offshore Wind Resources" (S.P. 766) (L.D. 1895)

Signed:

Senator:

LAWRENCE of York

Representatives:

ZEIGLER of Montville
BOYLE of Gorham
GEIGER of Rockland
KESSLER of South Portland
RUNTE of York
WARREN of Scarborough

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senators:

GROHOSKI of Hancock
HARRINGTON of York

Representatives:

BABIN of Fort Fairfield
DUNPHY of Embden
FOSTER of Dexter
PAUL of Winterport

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-420)**.

READ.

Representative ZEIGLER of Montville moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative FOSTER of Dexter **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 311

YEA - Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Carlow, Cloutier, Cluchey, Collings, Copeland, Craven, Dhalac, Dill, Dodge, Doudera, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hobbs, Jauch, Kessler, Kuhn, Landry, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Supica, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carmichael, Collamore, Costain, Crafts, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hepler, Jackson, Lavigne, Lemelin, Libby, Lyman,

Mason, Millett H, Milliken, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Perry A, Poirier, Polewarczyk, Pomerleau, Quint, Sampson, Schmursal-Burgess, Simmons, Smith, Soboleski, Stover, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Abdi, Crockett, Eaton, Hymes, Javner, Lanigan, LaRochelle, Rudnicki.

Yes, 74; No, 68; Absent, 8; Vacant, 0; Excused, 1.

74 having voted in the affirmative and 68 voted in the negative, with 8 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-420)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-420)** in concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-700)** on Bill "An Act to Improve Maine's Reproductive Privacy Laws"

(H.P. 1044) (L.D. 1619)

Signed:

Senators:

CARNEY of Cumberland
DUSON of Cumberland

Representatives:

MOONEN of Portland
KUHN of Falmouth
LEE of Auburn
MORIARTY of Cumberland
RECKITT of South Portland
SHEEHAN of Biddeford

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford
POIRIER of Skowhegan

READ.

Representative MOONEN of Portland moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative ARATA of New Gloucester **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from New Gloucester, Representative Arata.

Representative **ARATA**: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, you know, lately, the State House has felt like a religious revival meeting. But this really isn't a religious issue. I assume that everybody in this room values human lives. I assume that you value the lives of both women and of premature babies. I assume that this issue has challenged you at every level; intellectually, emotionally and for some, spiritually. And I assume that you want to do the right thing. This bill was supposed to solve the tragic problem of a woman carrying a dead or dying baby. Nobody in this room wants a woman to suffer. But abortions of nonviable babies are already legal. Look up the word viable. It's simply defined as having the ability to live. It's stirred up a lot of emotions, hasn't it? A lot of people are really paying attention to what we're doing in this building today. The Attorney General himself wrote that Maine Law allows abortions after 28 weeks in the case of a fatal diagnosis. The Attorney General changed the document after opponents of this bill caught on to it. I have a copy of the original version if you'd like to see it. During the election --

The SPEAKER: The Member will defer. The Chair would ask that we ensure that the doors are closed in order for us to hear the Representative's remarks. The Member may proceed.

Representative **ARATA**: Thank you, Madam Speaker. You know, during the election, I received a mailer from Planned Parenthood about Cameron, the baby with the rare disease, skeletal dysplasia. And it said, quote; he was in pain. Well, finally, we can all agree that preborn babies can feel pain. We should also be able to agree that we don't want to cause anybody pain unless there's absolutely no other alternative. This bill has no requirement for medical necessity. It would allow painful abortions right up until birth without any medical reason.

This is not a compassionate bill. If it were, I would vote for it. The amendment did absolutely nothing to improve this bill. A standard of care replies to how abortions are done, not why they're done. There's no standard of care for premature babies who are about to be aborted. There's no document with a title that says 'standard of care' for you to read so that you can know exactly what you're voting for. Proponents of this bill say we should just trust doctors, as if all doctors are perfect and can do no wrong. But the medical community has been wrong many times and society still suffers from their mistakes. Recently, it was the standard of care to give out addictive opioids almost like they were candy. And do you remember the racist myth that people with black skin have higher pain tolerance? That was once the standard of care. We have a responsibility to have guardrails when there's a potential for cruelty. It's been said that third trimester abortions are very rare in Maine. Well, of course they are because right now, they're illegal for healthy babies and healthy mothers. Let's keep them rare.

Third trimester abortions can cost \$25,000. That's a powerful financial incentive. This bill will create a huge market in Maine for abortions of healthy, premature babies from all over the country. The fact is, if this bill passes, two healthy women, both seven months pregnant with healthy babies could walk into a hospital. One woman goes through the door on the left and delivers a tiny, premature baby who is lavished with the highest level of medical care and the full protection of the law. The other woman goes through the door on the right, where the baby is stabbed with a needle full of digoxin and has a long, slow, painful heart attack. The first woman gets to go home holding a beautiful baby but the second woman goes home with a dead or dying baby still inside of her because she has to wait a few days

to make sure that the baby is deceased and to dilate enough to deliver him or her. That is the standard of care. Why is one protected and the other one sentenced to a painful death? If this seems fair to you, I just don't understand how a heart can grow so cold. But if you agree that this is unjust, then you must oppose this extreme and deadly bill.

Now, I understand how hard it is to go against the loudest and most extreme voices in your party because I've been there. But it'll be okay. I've been criticized for being too moderate but you know what, there's a hunger for rational and reasonable voices in government and you can be a voice of reason by opposing this extreme bill and you will never forget caring about people enough to have the courage to do the right thing. And premature babies need you to do the right thing right now. Thank you.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative White.

Representative **WHITE**: Madam Speaker, and Men and Women of the House, I was raised in a single-parent home with five brothers and one sister on what many would say was the wrong side of the tracks. Poverty and hardship were not unknown to my mother and her seven children. But I thank God that she had the fortitude to give birth to each one of us. I am also the grandson of a poor Lebanese immigrant. I have been a Democrat for my entire adult life and have appreciated what the Democrats had as priorities, priorities which drew me to the party such as helping the poor, the worker, the immigrant and the disadvantaged. I have heard from dozens of pro-choice and pro-life constituents and from hundreds of other Mainers who say this bill is extreme and unnecessary.

I am reminded that Maine already has some of the most permissive abortion laws in the U.S. LD 1619 says nothing about what is necessary as an abortion, what constitutes a necessary abortion. We need to have clarity in our laws. The standard of care amendment does not add any safeguards to LD 1619. Doctors are already responsible for following standards of care. Some women may feel that abortion is their only option. We should enact laws that make pregnancy support affordable, available and accessible in every community. Much needs to be done to connect pregnant women in crisis pregnancies with available resources so that they may stay in school, continue their careers or have the resources to support their growing families as well as help in the occurrence of a traumatic event.

I stand today to defend human rights, including the right of the preborn children through legal protection, cultural change and economic justice. I base this defense of the rights of the preborn on science and reason. We must ensure human rights regardless of size, age, location or disability of the human person. One doesn't have to be religious to reject taking the lives of vulnerable humans. Science tells us that life begins at fertilization. The gestational stages of the preborn child are all stages of the development of humans. This is not a religious idea; it is a biological fact, proven by countless scientific studies. The foundational principle of civilization, that it is wrong to kill one another, must be applied consistently and we must recognize preborn children as part of the human family. LD 1619 is about doing away with a member of the human family, the preborn child. The right to bodily autonomy does not include the right to stop the beating heart of another innocent person. We must reject the falsehood that some lives are more valuable than others.

Abortion is promoted as health care for women, yet health care is defined as treatment for the prevention of disease or restoration of health. Pregnancy is not a disease. We live in

one of the greatest countries on earth. Surely, we can find ways to help both women and their preborn children thrive. I will always try to be a voice for the voiceless. Please be a voice for the voiceless, too. Vote against LD 1619. Vote no on the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Henderson.

Representative **HENDERSON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I intended to rise today but I did not intend to get emotional in front of the entire State of Maine. I've really struggled with what I'm supposed to say today, what could possibly come out of my mouth that would be powerful and impactful. There's an old Hebrew proverb that says that the power of life and death lies in the tongue. And yet here we stand day after day at the ready with our proverbial swords in our hands, ready to wield our words like weapons to disarm or dismantle the very people in this room. I didn't come here as a legislator, Madam Speaker, and neither did you, to wound people with my words, try to bring forth life and not death.

Last week, maybe the week before last, we had gone with the Judiciary Committee and we sat down and had dinner together, or lunch together, and it was rather rushed because it's the end of Session and we all had a chance to say something. I missed a good part of what my colleagues had to say, I needed to get back here, but they were gracious enough to let me go first and I shared a little bit of my heart with them in sharing that the toughest thing that I've done since I've become a legislator has not been legislating laws, it hasn't been learning this process, it's not been the conflict or the contention. I grew up with brothers, I know about conflict and contention. It was, surprisingly, that I came to love many of you and when you have a fondness for a group of people or you have a fondness for people, it shifts something in your heart and it shifts something in your mind and it makes you a little bit more gentle with your words. It makes you talk less and listen more. And I truly believe; I know we're not supposed to talk about the intentions of our colleagues here in this room, but; however, I truly believe that each of us sitting in these Chambers today have a desire to do good. Have a true desire to do what's right. And we want the outcome of this legislation that's laid before us to be good fruits of our labor.

May 1st, we sat through a Committee meeting that I was humbled to be a part of. I heard many testimonies. Dana Pierce was one that really made me reflect a little bit. What she must've gone through; it's heart-wrenching to have the hope of the future of a child, the nursery is painted, the baby shower has been had, you have a name and the clothes ready and laid out, you probably have your go bag ready for the hospital. You're counting down the days until you can count his fingers and his toes, see what color hair he has. And in a moment, in one doctor's visit, that is completely taken away from you. I know the intention of the Amendment before us, Ought to Pass as Amended from the Committee was to narrow in on that but it doesn't have the effect that was intended. It doesn't specify the health or safety of the mother and if it did, if it was about post-viable children and the health and safety of the mother, then you would just deliver the child, the healthy child, to preserve the life of the mother. And if it were about the health or safety of the child, then it would actually state that.

I really don't want to take too much more time but simply say, as I've said in Committee a few days ago, I don't want my vote today to overshadow how much I know many in this room have lamented over this bill. When anybody brings up the topic of abortion, especially in this House, it's like we all scurry to our sides and we link arms with those that believe the way we

believe and we play legislative Red Rover, Red Rover. One talks and we try to bust through that line and the next side talks and we try to bust through that line, when there's just a huge gap in the middle where no dialogue is taking place. I'm going to oppose this motion. I don't think anybody is shocked by that. But I'm not a robot that pushes a button. We all care about people, we want to end suffering, and just how do we get there, and this bill doesn't do it.

The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Kuhn.

Representative **KUHN**: Thank you, Madam Speaker, Esteemed Colleagues of the House. I rise in support of the pending motion. I have a few things I'd like to say. I hope I get through them without a cracking voice, which may prove difficult because as the Representative from New Gloucester said, this is an emotional topic for all of us.

I do regret that we probably will not persuade each other very much in this process but I do want to take a moment to explain my own view. I certainly respect all of yours and I absolutely share the warmth and respect articulated by the Representative from Rumford, my seatmate in Committee. As a woman and a mother, I've examined my own conscience on this question. As a legislator, I have considered with very sincere empathy the stories we heard at the public hearing regarding pregnancy loss. I'm thinking of Dana and of Zoey and numerous other Maine people who shared their own stories and, in many cases, their own lingering trauma. One of the lessons that I took from the hearing is that every pregnancy is different. In the case of about a dozen women per year in Maine, they find themselves later in pregnancy in perhaps the worst situation of their lives. Most of those dozen people have found out later in pregnancy that their baby suffers from profound abnormalities that are not compatible with life. These are wanted babies and their loss is devastating. The remaining, thankfully fewer cases, sadly involve children who are victims of sexual assault who realize later in pregnancy that they are pregnant at all because they don't menstruate regularly yet. It is for these people that I support the pending motion to ensure that when faced with their worst day, they have options to consider alongside their provider.

Some have said that this bill would result in countless abortions later in pregnancy. I just don't believe that. I trust women and I trust their providers. The amended bill contains reasonable safeguards to ensure that licensed physicians make a recommendation only when it is necessary and in a manner consistent with their professional standard of care. If not, they face civil and criminal penalties. As a legislator, I am not qualified to try to put into Statute every situation where this would be appropriate and every situation where it would not. Because, as I said, every pregnancy is different but every pregnancy crisis is a crisis. Most Maine people believe that reproductive health care decisions are private and should be made between patients and their providers. I trust both sides of that equation. As a mother myself, I feel compelled by my empathy for others who find themselves in heartbreaking situations to ensure that they have this option to consider. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Harrison, Representative Riseman.

Representative **RISEMAN**: Thank you, Madam Speaker. I'm 75 years old. I've lived through a lot in my life and I have to tell you this is the most difficult decision I have ever made. I have eight biological children that are healthy that I see in my role as a legislator what goes on out there in the world and what the suffering is that is going on even as we speak. But when I

choose to participate and debate, I do so based on my consideration of how I intend to gather facts. Now, I can tell you over the course of the last month, I have received correspondence, texts and various other methods of communication and most of us have been involved in, mine is absolutely been overwhelming. It has kind of kept me from keeping my eye on the ball of the other business that's important to this Chamber. But today we are considering this issue, which is of utmost importance. And this is how I have considered the bill. I've talked on both sides of the issue with various folks on this side of the aisle, on that side of the aisle, out in the halls, whatever.

But when you consider what we need to go through, I've done a couple things here. First of all, I looked at the current Law that's in effect besides this motion here and I have found that the following things are true, from my point of view; may not be in everybody's point of view. One thing we know for sure is that the current law stresses 24 weeks till a baby becomes viable. Now, I'm not quite sure where that number came from, there's somebody that came up with it and that's the standard. I've heard from both sides that it might not be 24 weeks, it might be 22 weeks, it might be 26 weeks. So, we're dealing in something that's a little bit vague and that's a tough issue. That's a viability issue which we're dealing with a little bit and what we're considering here. The second is looking at the current law and deciding whether it is good enough to keep on the books or do we need to make the necessary changes to it that protects both a mother and the baby. And I am not of the opinion that we are there yet with what we have on the books. Will we be there if we pass this legislation? The answer to that is no. So, it's not perfect. The next issue that comes up is all this is going to do is to force folks out of State that want an abortion. I don't happen to believe that is the issue if we seriously consider how we can approach this issue here for the State of Maine. The last thing that's in the bill that's very striking is the fact that we're dealing with late-term abortions. This isn't abortions that are up to 24 weeks, this is abortions that go right out to the term and I have found that there are extreme elements on both sides of the issue that muddy the waters.

To me, the important thing here is that we deal with the vagueness that's involved in some of the issues. Number one, standard of care. Everybody says well, there's a standard of care. Well, I've done some research on this and I find the standard of care in one state could be different in another state. It could be different depending on how a doctor interprets standards of care. So, we need to do a better job in policymaking in the State to clear that particular issue up. The other issue I just explained about viability. Is it really set in stone that it's 24 weeks? No, it's not. Should we consider the Legislature trying to define these terms? I personally believe we don't belong in this argument, that this is strictly an issue between a mother and her care provider, her physician. We don't have any business trying to legislate some of these other issues that are not clear.

So, I think that the current legislation that we are looking at here today, trying to address this issue, which is very complicated and unique to each person, this legislation is a failure because we cannot do this as legislators and dictate what is proper and fair to the majority of people because it's impossible. So, finally, wrapping this up, should we be involved in this legislation as a Legislature? My answer to that is we don't belong here doing this. The Law that's in effect right now was very baseline, very effective and it's doing the job. Let's stop now before we get in too deep. Thank you.

The SPEAKER: The Chair recognizes the Representative from South Berwick, Representative Roberts.

Representative **ROBERTS**: Thank you, Madam Speaker. Madam Speaker, I rise in support of LD 1619. And I do so to make you and my fellow colleagues aware that the experience of one woman who prompted this legislation is not an isolated incident.

In my sophomore year at college, at 19 years old, I collapsed in pain on my apartment floor one afternoon and was driven to the local emergency room. They took blood, urine, vitals and so on and left for a bit while I was curled up in a ball on the bed. The doctor came back in and eventually asked if this is my first pregnancy. Not how I would've broken it to a 19-year-old, but it is what it is. I told him yes and he was perplexed by the amount of pain I was in and an initial ultrasound showed basically nothing at that point, which was odd since the pregnancy hormone levels in my blood were quite high. He referred me to a local OB/GYN. I felt horrible but was assured nothing was wrong. At my next ultrasound, I heard the words and here's the heartbeat, wait, and here's another one. Do twins run in your family? I was terrified. Nineteen years old, the father had already bailed and now I was having twins. I knew I had the choice to terminate the pregnancy but it was not something that I could personally do, so, that's not where this is going. I was horribly sick 24 hours a day, complication after complication, but I was determined that I could do this. Then I got thrown a major curveball. In the middle of the second trimester, one of the twins was diagnosed with SVT in utero, which is a sustained heartbeat of 220 to 280 beats per minute. Fetal tachycardia complicates 1-2% of pregnancies. Diagnosis is generally made in the second or third trimester. If SVT is left untreated, the heart beats so fast that it cannot effectively pump blood to the body. Fetal SVT is the most common cause of fetal tachycardia and, while rare, it is an important cause of fetal morbidity and mortality. If left untreated or if unresponsive to treatment, life-threatening complications such as hydrops fetalis and intrauterine fetal demise can result. The developing baby can go into congestive heart failure before birth, which results in fluid building around his heart and heart failure. In severe cases, the condition can be fatal.

So, now what? Transplacental therapy with digoxin is the most common way of treatment. Atenolol and verapamil are effective methods of treating SVT, which can be used during the second and third trimesters. At the same time, intravenous drugs can be used in all three trimesters, including in labor. Electrical cardioversion is an effective treatment method for unstable or drug-refractory patients, which has been proven to be safe in all three trimesters, including labor, but can result in pre-term labor in the third trimester. Ablation is proved to be the only treatment method that definitively resolved SVT without reoccurrence. So, all I heard there was that there was a treatment and I hadn't stopped to think of the implications of carrying twins with the same placenta. We could not use these antiarrhythmic treatments because it would kill the other child. What kind of choice is this? I was informed of my options. If we saw the deterioration of the heart, the doctor felt he would be able to terminate one twin and not the other. It was a huge risk but it had been done. I needed time. Time to think. Time to breathe. Time to see if he would just get better. I was told that time was the one thing I did not have because the clock was ticking towards viability. To be clear, my life, the mother's life, was not in danger so it did not apply here. The Law dictated the decision I would need to make, a decision that would affect both of my children, but I was not given the time to make it. I was put

on bedrest with two ultrasounds a week up until and after viability. Nothing was certain if one or both twins would make it.

Willing to try anything, I was admitted inpatient and put on a magnesium drip in an attempt to basically slow everything down. Being sedentary resulted in contracting pneumonia, losing consciousness and having to be intubated. The situation did not get better. To try to save both lives, I opted to come off the drip and attempt to deliver seven and a half weeks early. The twin with SVT was breach, his water would not break and I could not have any pain medications to deliver because we did not know what it would do to either child. The healthy twin was delivered; and by healthy, I mean extremely premature but with no heart condition. A half-hour later, after manually breaking his water, turning him around, and delivering him while I was hemorrhaging on the table, he was born, airlifted to Dartmouth-Hitchcock with SVT, RSV, on a feeding tube for four weeks. I did not even see him for three weeks because I had two blood transfusions and was hospitalized.

Madam Speaker, the entire series of events during my pregnancy were stressful and emotional enough. I dare to say I was young and resilient. They were made exponentially worse by being put on a ticking time clock. I cannot be alone here. Madam Speaker, doctors should not be forced to try to prescribe prenatal care on a timeclock. We trust them with so many other life decisions, this should not be an exception. Thank you.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Zager.

Representative **ZAGER**: Thank you, Madam Speaker. I rise in support of LD 1619. I believe that the positions on abortion around this Chamber are each and every one of them nobly derived. Much deliberation and soul-searching has occurred on both sides of the pending question and while we're not debating current Statute, each person here and each position is inspired by core human values like compassion and love. Currently, Title 22 permits abortion after viability to preserve the life or the health of the mother, we've heard this. So, one of the key questions of 1619, Madam Speaker, is; does replacing that with the professional judgment of a physician open the door to a cavalier approach, even when doing it within the standard of care? Is professional judgment sufficient for such delicate and weighty decisions?

I also was not an immediate, reflexive yes on this. As with any bill, I try to do due diligence, Madam Speaker, and so, in considering this bill, I found it helpful to consider that question generally. Where else is there an example of professional judgment trusted by a Legislature? I noticed, in looking back on things, that Congress does this very routinely and has done for pretty much our entire history of our country, every time it approves a military officer's appointment. Justice John Marshall wrote in the foundational 1803 *Marbury v. Madison* decision that granting a commission is the distinct act which empowers an officer and to this day, the text of the commissioning document that is granted specifies a special trust and confidence in the discharge of duties. In other words, Congress, as a Legislature, trusts professionals to exercise judgment. It trusts that they will not act wantonly, that they will be diligent, thoughtful and ethical. Military members consequently take an oath. They protect rights through their actions. Some of those actions are controversial and not supported by everyone in this country, but they aim to keep a terrible situation from getting worse. And, of course, Congress cannot anticipate every circumstance that those military members will encounter when entrusted with that special trust and confidence. Military members also undergo extensive training and education and they serve the common good. All of these things are true for another group of

professionals relevant to this bill and that is, of course, physicians. LD 1619 allows for physicians to exercise professional judgment, to help people deal with situations that are unfortunate and agonizing, to help account for things like a fetus's rare skeletal disease that we've discussed or heard about, to account for the fetal absence of kidneys or lungs or a brain, which happens. To account for these and the practically innumerable ways that things unfortunately can go off the rails in human embryology and development. To allow them to listen to and be a trusted advisor in the deeply personal and private decisions that people sometimes have to face in pregnancy. These are profoundly troubling things that people have to face and sometimes, the best possible outcome is simply the least bad.

Fortunately, these situations are rare. One obstetrician shared that over an entire career, over four decades of practicing in Maine, they had encountered perhaps six or so third trimester lethal anomalies like missing a brain, missing both kidneys, missing both lungs. We're talking about very rare circumstances, Madam Speaker. And they're so rare that a junior physician may not be involved in one of these cases throughout four years of medical school, four years of OB/GYN residency and thousands of births. This situation of rare cases of course happens in any field of medicine. The standard of care in those circumstances involves discussions with professional colleagues to do things like confirm diagnoses, to determine the pros and cons of treatment options and other clinical aspects. Involved in the case discussions would be other obstetrician/gynecologists, high-risk obstetrician and gynecologists, other physicians who deal with rare genetic disorders, oncologists in the case where the pregnant person has cancer, pediatricians in the unconscionable circumstance where there's a child who has been raped and finds themselves in one of these situations and so forth. These cases are rare enough that everyone demands that we leverage the right expertise to inform and empower the patient. The medical circumstances that call for LD 1619 are rare, and so are later-term abortions. Under current State Law, Madam Speaker, the most recent State report shows that about one-half of one percent of abortions occur at 18 weeks gestation. About the same percent, about half a percent, occur at 19 weeks, and it's very rare, actually, even under current Law, for there to be abortions at 20 weeks to 24 weeks which, as we've heard, is roughly where the current Statute goes to. I submit that these statistics demonstrate that there are other factors besides the limits of Law that function to minimize abortion later in pregnancy. I see no reason to think why LD 1619 would suddenly overturn that. People are always trying to do the right thing under very difficult circumstances and often the best that we can do is make the situation's outcome least bad. LD 1619 would accommodate these very personal and private decisions.

As part of my decision-making about this bill, I spoke with physician colleagues who do provide abortion care. I gained an improved appreciation of the delicateness, thoughtfulness and the professionalism with which they serve the public. We physicians use our hearts and our minds in an effort to understand every possible human and scientific aspect of a clinical circumstance or a treatment decision, especially very consequential ones. We routinely consult with each other per the standard of care. We check and recheck where appropriate and we are very far from cavalier. All this, Madam Speaker, is focused on empowering patients in perhaps the hardest moments of their lives. LD 1619 would create space for this. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Madigan.

Representative **MADIGAN**: Thank you, Madam Speaker. What many of you may not know about me is I have a strong family history of reproductive health problems in my family. My mother lost two babies between my late sister and me. One of them had one of those fatal anomalies and my mother, as a young woman, watched him die over the course of a day. My mother is 79 and quite frail and I do home care for her. That still haunts her to this day. I don't know if she would have made a different choice if that had been an option for her but I know because she told me that she would've liked to have known and had that conversation. My mom was also raised pretty strictly Catholic, or Irish-Catholic, it's a whole different thing, actually.

My late sister, some of you have heard me talk about her, she was born with a really rare birth defect where she was born with only one kidney, half a uterus; actually, a little bit less than half; a bundle of blood vessels in the wrong place and a bundle of nerves in the wrong place. We didn't even find out about it until her 30s. She had complained from the time she reached puberty, really, of periodic belly/pelvic pain and when she went for annual pap smear they always tell her, you know, eat better or, you know, here, do you want some antidepressants. It turned out actually it was this birth defect. She required an emergency hysterectomy when they found this, where she almost died because she bled out and then got sepsis. But prior to that, she had had numerous conversations with her doctor who discovered the birth defect that she would be one of those people that would've needed a late-term abortion because they honestly didn't know about this birth defect and because of the nerve and blood vessel problems, it would've impacted the viability of a developing fetus. That made my sister into a quite unlikely activist because she thought no one should make that decision for her and that no one knew what that pain was like. And I agree with her. I should say I agreed with her, because she's dead. Complications associated with the birth defect contributed to her death. I don't think any of these absolutely tragic circumstances that we're talking here about today are made better by me getting involved, or you or anyone in this building or anyone in the government, because they're absolute tragedies. If you've never had to be in those circumstances, be grateful. Be grateful.

I said I have extensive history of reproductive health problems in my family. Part of that is infertility. I have infertility, so I can never have children. For people who have gone through fertility care, this type of care and being able to have this type of conversation with their providers is critical. In fact, many people who seek fertility care are ones who have had absolute tragedies like this happen. And I have to say that this bill is really personal for me because it was personal for my sister. And so, when I think about my vote today, I'm going to vote for Dana, the woman who wrote the Chief Executive and prompted this bill, I'm going to vote for my mom because no one should be in that. And, you know what, I'm going to vote in favor of this for my sister, Lana; my late-sister Lana. Yaya, this is for you today because I heard you that no one should tell you what to do in that and it would be a horrible decision. So, thank you very much, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Lee.

Representative **LEE**: Madam Speaker, Men and Women of the House, my friend, the Excellent Representative from New Gloucester, said earlier that nobody in this House wants women to suffer. She's right. I'd add that absolutely nobody in this House wants to permit a healthy fetus in the womb of a healthy

adult mother to be aborted. That's also true. We all agree on that. That's why the standard of care amendment is in this bill. To ensure that if the doctor's judgment is not guided by an applicable standard of care, it deviates from it. If an abortion is exercised or done in an instance in which it would not be consistent with the applicable standard of care, it's not a lawful abortion in the State of Maine.

This has been a difficult decision for all of us. All of us. If the facts of a specific case means that the applicable standard of care is to deliver and not to abort the fetus, then that's the applicable standard of care; abortion would not exist in that instance and would not be lawful in the State of Maine. If one believes that an abortion has occurred and is done inconsistent with the standard of care, they can bring a complaint to the Maine Board of Medical Practice. That's the process. That's how we determine what is acceptable in the State. I so appreciate the words of my friend, the Representative from the beautiful Town of Rumford. We need to realize that we aren't bad people, neither side, that this is a tough decision for all of us. I realize we're in a period of time in politics where it's a hell of a lot easier to demonize people that we disagree with than it is to try to understand what they're trying to do and why they're trying to do it. During and after the hearing on this bill, we were called bloodthirsty purveyors of infanticide, human traffickers, sadists, murderers, the Devil and if not the Devil himself, we heard myriad creative ways to imply that we will be spending the afterlife with the Devil. I get it. The personal attacks are part of the job, part of how we do politics these days. Also, I'm kind of used to it. My day job is as a lawyer, so, those are kind of tame by comparison. I can live with the attacks. What I can't understand is the supposition that this decision as a legislator is easy or that I didn't listen with an open mind to 20 hours of testimony, that I didn't work with an open mind for a hundred hours after that, agonizing, trying to find the way to write the perfect amendment to please everyone. But, Madam Speaker, I support this bill because my difficulty, my agony, my lost sleep does not equate to one one-millionth of that suffered by a woman who needs to make a decision like this. That's why I support this bill, because we need to try to work for that woman. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Windham, Representative Pringle.

Representative **PRINGLE**: Thank you, Madam Speaker, and thank you, Ladies and Gentlemen of the House. I rise to share some additional information to help explain the standard of care which my colleague Representative Zager, Dr. Zager, explained quite well. Most of us who go into medicine or health care do so to save lives, to help people live as long as possible with the best quality of life as possible. And when that's not possible, when a terminal condition is present, our goal is to relieve pain and suffering and to support a good death.

I would like to share both an email exchange I had with my colleague of many years, Dr. David Ernst. Dr. Zager referenced some of the information in that email. But he emailed a number of us, he was a colleague of mine for 40 years in Portland, a wonderful OB/GYN who taught many of our residents in the OB/GYN fellowship. And he emailed a number of us saying that he was opposed to 1619 and hopefully would vote no. I'd like to read you my email back to him and then our exchange, and I have his permission to share this with you.

Dear David, thank you for your email. I have not decided how I'm going to vote. The bill was submitted to meet a need identified by a Maine woman and her husband who learned late in the pregnancy that their fetus had a severe condition that was incompatible with life after birth. Apparently, they had to travel

out of Maine to have the fetus aborted. I gather from a number of sources that there are only a few such pregnancies in Maine each year where there is a nonviable fetus and the patient is required to travel out of Maine. Did you ever have a patient who learned late in pregnancy that the fetus had anencephaly; and I knew I was talking to a doctor but that means no brain; or a similar condition? How did you handle those cases? I hope you are otherwise well and keeping happy and busy in retirement.

So, David replied to me; thank you, Jane, for responding to my email and I appreciate your thoughts. I was involved peripherally over the years with perhaps a half-dozen cases of third trimester lethal anomalies at Maine Medical Center, either anencephalic; those babies with no brain; or renal agenesis; that means the kidney didn't develop; and no amniotic fluid or lung development, usually while covering the high-risk pregnancy service. When the parents chose to, labor was simply induced shortly after the diagnosis was confirmed. The baby was delivered, the neonatologists were present for the delivery, no heroic resuscitative efforts were made, and the baby was either born dead or died within a few hours of birth. Those were not called abortions *per se*, merely premature deliveries for nonviable pregnancies. The most notable was about a dozen years ago involving a woman diagnosed early in pregnancy with an anencephalic child; again, no brain; but she refused multiple offers of a pregnancy termination, not willing to lose hope that her baby would be okay. She went to full-term and delivered her child, who died shortly after birth. But she felt like she took the moral path and was able to mourn the baby's short life. David.

So, I think what I'm trying to show here is that, as physicians, our job is to use our resources and work with our patients around their choices. We give them the best information and let them look at the odds. And we've heard stories here about some who were encouraged to have an abortion because the baby had such a severe; and I understand, that's a really terrible dilemma for anyone to go through. It's wonderful that you made the choice to be able to have the baby and the baby turns out okay. Medicine isn't perfect. We don't always get it right. Doctors don't always make the right judgments.

But the final piece of this bill that I think is also very important, I spoke again with someone who is actively in an academic practice and providing abortion care and the thing that she has noted is that since the Supreme Court decision last year and the level of anger and frustration happening today is that there are doctors who are not feeling safe practicing medicine and making choices. And so, this change to the privacy laws, changing the kind of data; and, actually, it's hard because as a physician, that's how we gather information about the social determinants of health. That's how our national database on, you know, abortions or pregnancy is you find out if; what your race is or what your age is and how far you're along. That kind of data is helpful to us as we look at risk and try to give people good information. But some of the information we've had in our CDC database could help someone find someone and threaten them or find the doctor and kill them. So, as we've heard today, we are living in a strange time and people are afraid and so, I support this and after mulling it over, I have decided that I am going to vote for this bill because I believe that the standard of care will be supported. Thank you.

The SPEAKER: The Chair recognizes the Representative from Cumberland, Representative Moriarty.

Representative **MORIARTY**: Thank you, Madam Speaker, Fellow Members of the House. I speak this afternoon in support of the pending motion. I want to acknowledge at the outset, for reasons that are quite obvious, that I have never and can never

experience the profound mix of emotions that a woman must experience when confronted with an unexpected or an unwanted pregnancy. For that reason, anyone listening to what I have to say may choose to take everything that I say with a large grain of salt. And, if that's the case, I understand. But I offer the following thoughts, nonetheless.

The central part of our debate this afternoon focuses upon post-viability abortions. And my friend, the Representative from New Gloucester, in her opening remarks, referred to viability. It is, in fact, defined in the Statute and it may be useful for us to understand exactly what the term means. And I'll begin by pointing out there is no reference to an arbitrary durational period of time. Instead, viability means the state of fetal development when the life of the fetus may be continued indefinitely outside the womb by natural or artificial life-supportive systems. And I emphasize that portion of the definition dealing with artificial life-supportive systems. Viability is not dependent upon the capability of living life fully independently. If you take the entire period of gestation, the bright line of viability divides that period into two halves, and we are this afternoon focused upon the second half, the post-viability half. As is true with many of you, I have received hundreds of carefully written, handwritten messages as well as emails, a great many of which have made the claim that should this bill become law, abortion will become available upon demand for the duration of the period of gestation. Respectfully, I disagree and disagree strongly. The bill requires that a post-viability abortion may only be performed when deemed or determined to be necessary by the highest licensed medical professionals in our system, specifically medical doctors or osteopathic physicians. No medical profession with a lesser degree of certification can make that determination under the law. It has been pointed out that the concept of the applicable standard of care really adds nothing of any meaning to the bill and I think back to the legendary hearing held by the Judiciary Committee a month and a half ago which lasted some 19 and a half hours. During that hearing, as those of you who were there for part of it or may have watched part of it know, we heard a great many powerful and personal stories from people who chose to take time out of their day, evening and very early morning to share them with us. In some respects, for me, the most compelling testimony from, admittedly, a legalistic or legislative point of view came at some point in the middle of the night. It came from a practicing OB/GYN who testified in opposition to the bill and who then answered questions. And he was asked to make an assumption that he had a patient who was in the last stages of pregnancy and that the baby was fully healthy and that the woman or patient herself was also fully healthy, with no questions whatsoever, but who late in the term, for whatever reason, decided to request an abortion. The question was then presented, would you perform an abortion under those circumstances? And to the witness's great credit, he answered candidly, no. We weren't at the time working with a concept of the applicable standard of care but, in effect, what the doctor did that night was to apply the applicable standard of care to a medical hypothetical. In effect, he said that the standard of care that I observe and that those with whom I practice observe, is such that no abortion would ever be performed late in the term when both the baby and the mother are healthy and when no necessity exists.

So, the term necessity, with the collateral reference to the applicable standard of care is, in fact, a term of substance, significance and deep applicability to post-viability abortions. In my judgment, having reviewed the bill at length and over some period of time, it is workable, it has meaning, it can be applied

by our licensed professionals and will be applied in a professional and ethical manner. And I reject once again the concept that this bill represents an opening of the gates to abortion upon demand at any stage whatsoever in the gestational cycle.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Reckitt.

Representative **RECKITT**: Madam Speaker, I've stood up a lot of times in seven years. This is one time I didn't want to stand up for fear that my words would be unable to convey what's in my heart and what has brought me to the place of also being in support of this bill.

When I was 13 years old, I was in junior high school and that was a long time ago, like 1950-something, and at least once, one of my classmates became pregnant at 13 and all of a sudden disappeared. And we all knew where she went, she went and had an illegal abortion, which is the only way you could get them in that time. And I know we're not talking about abortions in earlier in the pregnancy in this but I think it's important to understand that the pressures go throughout a pregnancy. My very best friend when I first moved to Maine when I was 23 years old, she was not terribly biologically intelligent, is the nicest way to say it. She got pregnant the very first time she had sex, which someone had told her wasn't possible. And she was pregnant and she was terrified and she was alone and she was scared. And at some point, we began to live in the same apartment building; a stunning place in Portland, they all smelled like S.D. Warren at the time. She lived on the third floor and I lived on the second and she did not want to be pregnant but there was no way to get an abortion that she thought she could either afford or probably safely live through. So, she tried to abort herself repeatedly. She drank bleach, she threw herself down the third-floor stairs and she did not abort. She bore this child to term and she was terrified that she had done something to what was then about to be her son and was grateful that no matter what she had done to try to abort this child, she did not. But women will go to desperation if they don't have legal alternatives and what terrifies me about this bill not passing is the terrifying alternatives, particularly people who have zero money and would not be able to do anything about their condition.

As many of you know, when I was 35 years old, I began working in the domestic violence movement and I did that for 37 years. Trust me, I saw a lot of women in very difficult circumstances, many of them pregnant and not knowing what to do about it. Nearly all of them were impregnated when they didn't want to be but were forced to be but they had also very few alternatives and most of them bore these children and then were irrevocably attached to the man who was beating and abusing them for the life of that child.

The whole night of the infamous hearing, I have to confess I bailed out at 10:30 at night. As most of you know, I was ill before we came back into Session this year, I just couldn't do it. It was 10:30, we'd been going since I don't know when. My sisters and brothers on the Committee made it to 7:30 the next morning and God bless them, but I could not have done it. At 10:30, I bailed. But I had heard a lot. I had seen the same tragedy that my fellow legislators saw and heard and grieved on behalf of the people that we heard from. The Good Representative from Rumford, beautiful Rumford, I might add, and I have developed a very interesting relationship on the Judiciary Committee. We almost never; almost never vote the same way but we both are all of a sudden very fond of each other and I find one of my greatest joys of this Session is finding the Representative from Rumford and hoping that she'll stay in

my life even if we never agree on anything our entire lives. But I hope that the fact that she and I are going to vote, I'm certain, exact opposites on the bill, is exactly the reason that we need to do this. You know, we have to all come to where we are based on our life experience, based on our backgrounds, our ethics, our beliefs; you can't sort it all out. There's too much of it that wraps up into a life. I don't know how old my friend from Rumford is but I'll tell you, I'm pushing 79 now and so, I've seen a lot of this world, as have many of you in this Chamber, but not that many women of my age in this Chamber, there are some, I think, I guess. But the reality is, as your life goes by, you see more and more and you understand the complexities of decision-making. It's not easy. It's definitely not easy. Things that people think are simple; simple decisions. Well, of course you can't do that or of course you should do that; it's not that easy. And I think that each of us has struggled with this. I mean, many of the folks who have spoken already have talked about the deluge of information that we have been receiving and we struggle with not being angry about that because it's made our lives miserable for several weeks and it's made some of us frightened. And I think that it's difficult to make a clear decision when you're afraid. Why are you afraid? Because not everybody in this world is as ethical and kind and decent as all of us in this room. And I think that it's important that you understand that some of us may act out of pressure from a wide variety of sources. Whether it's from our religious faith or it's from our friends and neighbors or it's our mothers or our fathers who think that we are doing something wicked unethical, no matter which way we vote on this issue. So, I think we have to search our own hearts, which I assume every last person in this Chamber has been doing for some time and trying to figure out what's the right thing and then what's the only thing you can do to be true to your own heart and mind. And I know that our answers are not going to be the same throughout this Chamber and I don't even think it's really divided this way, like we like to think sometimes. This is not a political issue, in my view. It's a personal, ethical, moral, upbringing, intellectual, heartbreaking, you name it is buried into this issue. So, I ask you to look into your heart, look into your life, look into the reality of this bill, which is, I believe, as has been described by my good friend the doctor over here and some others who have spoken already. The complexity is internal to each of us. This bill is not that difficult to understand. We're saying that if you're in extreme circumstance, then this is an option, but you better have a darn good reason or you're never going to find a doctor who's going to work with you to do this and I'm glad for that because I like to think that every one of our doctors is as ethical as that.

I have to tell you, as most of you know, I just got diagnosed with colon cancer and I went back for a checkup that was not good a few weeks ago. And when my doctor handed me those results, he had that look on his face that you never want to see on the face of a doctor when he looked at that piece of paper. And then he cried. He's been my doctor for 25 years, he didn't want me to die, and he cried and he hugged me, he never had done that in all of the years I've known him. But, you know, we all want to have a medical professional in our lives who cares that much and I have to believe that good doctors care that much and care that much not just about you but how your life is going to proceed based on the decision you make and help you through it in the same kind of way that I believe the people who are doing; I've had two friends do the death with dignity in the last six months. Hard, very hard. But I know the doctors were with them and cared about them and whether you believe in that process or not, it was the right thing for those two people. And this time, you have to look at this and say what's the right

decision for the people involved in this, and it's not you, and you have to let them know that they can decide, with the help of a doctor, I hope that loves them. By the way, I'm not dying, just in case you; yet, although I surely will because I'm, as I mentioned, almost 79. But I appreciate you listening to me and I'm sorry I bent your ear so long. As I said, it was not my intention to speak but I appreciate your listening to me carefully. Thank you.

On motion of Representative COLLINGS of Portland, **TABLED** pending the motion of Representative MOONEN of Portland to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

Pursuant to House Rule 401, Section 12, Representative LAJOIE of Lewiston informed the Speaker and Clerk of his return and would no longer be excused from House deliberations and roll calls.

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

HOUSE DIVIDED REPORT - Majority (8) Ought to Pass as Amended by Committee Amendment "A" (H-700) - Minority (5) Ought Not to Pass - Committee on JUDICIARY on Bill "An Act to Improve Maine's Reproductive Privacy Laws"
(H.P. 1044) (L.D. 1619)

Which was **TABLED** by Representative COLLINGS of Portland pending the motion of Representative MOONEN of Portland to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

The SPEAKER: The Chair recognizes the Representative from Skowhegan, Representative Poirier.

Representative **POIRIER**: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, for decades Maine's abortion law has struck a delicate balance. One that recognizes the reality of abortion in today's world and the protection that it does offer to many women. This is a nuanced issue, Madam Speaker, something that's demonstrated whenever you look at the wide variations in polling. Proponents point to surveys saying, as one conducted by Pew Research Center following the Supreme Court's June 2022 decision, where 62% of respondents said abortion should be legal in all or most cases. But here, we see the problem begin to arise because there's clearly a great deal that falls in between all instances and most. Maine Law currently allows for abortions in most instances. The recent push to authorize abortion in all cases without stated exception is what this bill allows. That position is one supported by fewer than one in five, a position that lacks nuance and fails to even attempt to balance the careful considerations that should be part of this conversation. A conversation largely centering around at what week should abortion be authorized or restricted, which has been debated for years but has seen renewed relevance in the last year. It is completely bypassed in this bill.

Defining viability or, at the very least, what exceptions should be put in place to lessen the hardship put on mothers faced with unimaginable situations is completely sidestepped in favor of an approach that is unnecessarily broad. This is not an issue for the extremes of either party, it's an issue that impacts everyone on the political spectrum. And it's sad to see some of the characterizations being made of the opponents of this bill. Opposition that is so prominent because it's made up of such a diverse group of stakeholders. Madam Speaker, its clear opposition comes from pro-life people of numerous faiths who have deep, deep-held religious beliefs regarding life. But it also

comes from pro-choice people. Pro-choice people like me. Because choice is a fundamental part of my personal philosophy and because I've driven people to the clinic where they've had to make the choice for themselves, Madam Speaker. It comes from our friends and families and neighbors. People who see how far this bill goes and are concerned. Concerned that lessened criminal penalties open the door for abuse or over the type of ambiguous medical necessity justification that could allow for the abortion of a completely healthy unborn baby. Even that this is less about ensuring safe access to abortions for the small percentage of women receiving them after 21 weeks, and more about using Maine to counter actions by other states in the broader national debate. Madam Speaker, I wish I could tell you those people are wrong. That this type of partisan deadlock and talking past each other they see coming out of Washington is not happening here in Augusta. But after spending months working on this bill from every angle, I just can't say that. Madam Speaker, I ask you and everyone not to follow my vote but to search your heart and to vote your conscience. Thank you.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Libby.

Representative **LIBBY**: Madam Speaker and Men and Women of the House, over the last few months since LD 1619 was introduced, I have engaged in hundreds of conversations with constituents, with lawmakers, with experts and heard of countless personal situations. The real-life accounts, the experiences of pregnancies, deliveries and abortions from women on both sides of this bill are incredibly heart-wrenching. They're life-altering and deserving of compassion. No matter my personal beliefs, Madam Speaker, it is critical that we lawmakers attentively listen and truly hear what the Maine people are saying to us.

Perhaps a surprise to many in this Chamber, I have an intimate understanding of how your world can be turned upside down when you receive the devastating news that your baby will likely die before birth. When I was 19 weeks pregnant with our first child, my husband and I went to have our routine ultrasound, which if many of you have become parents, you've experienced this. We were very excited to see our baby for the first time. As the ultrasound tech proceeded through the scan, she grew quieter and quieter. She finally excused herself from the room without an explanation. And when she came back, she returned with a physician who took over the ultrasound. I knew immediately that something was very wrong. And when he finished the scan, he told us that our baby had heart and lung defects that were incompatible with life, that the baby probably would not survive to birth, and that the baby had a very high likelihood of Down's Syndrome. He told us at that point that we should see a genetic counselor. We knew that that meant a conversation about abortion. We declined his suggestion and we left, instead of celebrating, in a state of complete shock. In the very stressful months that followed, we had fetal echocardiograms and ultrasounds and at 39 weeks pregnant, I delivered a 7-pound, 2-ounce baby via C-section. And I remember the moment that she was placed on my chest, as I'm sure many of the mothers in this room do, the one thing we had decided not to find out was gender and so, I learned that it was a girl. We named her Sophia. And I remember asking over and over again if she was healthy, if her heart was really okay and if she had Down syndrome. Despite my personal faith, those months between that first ultrasound and her birth were the very darkest of my life. I would not relive them for any amount of money. I have tremendous compassion for anyone that has gone through similar circumstances, but especially those who have never seen their sorrow turn into joy.

Madam Speaker, current Maine Law allows for abortion of a baby until viability, 24 weeks gestation. We learned, as so many parents tragically have, of our daughter's devastating diagnosis at 19 weeks and 2 days, the standard timeframe for an anatomical scan. Had we decided to abort, under current Maine Law, we had another four weeks and five days to make that decision. We are not here to debate if abortion should be legal in Maine, Madam Speaker. The *Dobbs* decision changed nothing in our State. The current Law allowing abortion up until viability is going nowhere. I am a realist. The political landscape of our State says 24 weeks is here to stay. That fact illustrates what an extreme reaction LD 1619 is to the *Dobbs* decision. This proposed bill is radically extreme and, contrary to the narrative, it is unnecessary. It would allow abortion at any time for any reason, regardless of the health of the mother, as we now account for under the current Law, or the age of the unborn child. And, yes, that statement, Madam Speaker, remains true even in light of the Committee Amendment. This bill was put forward as the solution to a problem that occurs in two out of 10,000 pregnancies. The story of Dana Pierce from Yarmouth is heart-wrenching but this bill is not the answer. A bill narrowly tailored to address that situation would've included the words fatal fetal skeletal anomaly. Instead, the Amendment broadly allows abortion after viability when a baby would survive outside the womb. It's broad, it's open to interpretation and it doesn't specify medical necessity. We have heard the standard of care from the Good Representative in Windham reading the emails. When it becomes necessary, the baby is delivered. And when it is possible, that life is saved.

I have heard that many in this room were told that no healthy babies would be aborted as a result of this bill but the truth of the matter is, Madam Speaker, LD 1619 does not provide that guarantee. As we have heard from our obstetrician expert witness, the term standard of care in this Amendment does nothing. Having no restrictions associated with it, there are no guidelines for that term, leaving it to the arbitrary opinion of that physician. Does the standard of care for depression or anxiety include the abortion of a late-term baby? Will an abortion provider be of the opinion that the mental and emotional health of the mother will be served by killing the late-term or full-term baby in her womb? When I discussed the Committee Amendment with the Good Representative from Auburn, he admitted that it's open to interpretation and will likely require litigation to settle the definitions of necessity and standard of care. Unfortunately, Madam Speaker, there is incorrect information floating around about the legal options currently available in Maine for severe, unique, late-term complications. Whether a baby has died in utero or a pregnancy is ectopic or molar, the mother by necessity has a D&C and the fetus is removed. There are medical emergencies that are performed for the mother's health and are legal under current Law.

Madam Speaker, there's another elephant in the room that I would like to address. They're sitting behind me in the gallery. The Maine people who have been showing up in remarkable numbers, speaking in opposition to this bill, filling our hallways, exhorting their representation. We the people. These are not my constituents; these are our constituents. They have traveled from all corners of this State. The last time that people showed up in such numbers, there were, indeed, thousands of people in the Civic Center and at that historic hearing, 100 people testified in person in favor of that bill. At the public hearing for LD 1619 on May 1st, over 250 Maine ZIP Codes were represented and 675 Mainers signed up in person to testify in opposition to late-term abortion. In spite of cutting the time from three minutes to two for testimony and later down to one minute, that public

hearing went on for 19 hours. Madam Speaker, one of your constituents delivered to you a binder containing 1,184 testimonies against LD 1619. I want to thank you for setting the example of a gracious and respectful response in how you responded to that gift. After all, this is the People's House and you responded respectfully, and I thank you for that. In contrast to that 1,184 testimonies against LD 1619, there were a mere 72 testimonies in support of this bill. Less than 6% of the testimony was in favor of late-term abortion. I'm not quoting numbers to put you to sleep, Madam Speaker, or anyone else in this Chamber, but to illustrate my point. The numbers tell the story. For the past week, Planned Parenthood has been putting out pleas for people to come to the State House to show their support for LD 1619. I have been surprised at the lack of response, the lack of significant turnout, until I thought about it a little deeper. Only 72 people cared enough about this bill to submit testimony online or in person. Only 6% of the testimony was in favor and 94% of the testimony was against. Why would there be such a chasm between the yeas and nays? Because, Madam Speaker, this bill, LD 1619, goes too far and Maine people know it. The will of the people is clear. Pro-life and pro-choice, if you have opened that book, if you have read the testimonies contained therein, you know that there are testimonies from pro-choice constituents of ours that say this is too far. Mainers are overwhelmingly opposed to late-term abortion. They are overwhelmingly opposed to ending the life of a viable preborn baby.

Just yesterday, in a historic show of unity for the unborn, the Muslim and Christian communities in Maine came together in opposition to LD 1619 with the following statement. A common and central teaching in our religious and faith communities is that God, the Creator, is the author of life. Therefore, we believe and we practice the sanctity of human life. All children, born and unborn, are a gift from God and are truly our heritage. While there are well-known and historic differences between us, we as leaders of the Muslim and Christian communities here in Maine stand together in opposition to LD 1619. In all of our hearts, it has become clear this evening, Madam Speaker, we all know that this bill goes too far. Why else would the Committee Chairs feel the need to limit testimony and schedule last-minute work sessions? Why else, Madam Speaker, substitute a Senator to run the vote in Committee? If this bill is what we the people want, then why are these antics necessary? Because, Madam Speaker, simply this; LD 1619 is not the will of the people.

I support women's rights and I support bodily autonomy. I think we all know that. As a woman, I am pro-woman. My body, my choice. I agree. However, and this is a big however, there is a separate body here. This body is viable and it could live outside the woman's womb if need be. So, Madam Speaker, at what point does that second body deserve life? At what point does that second body have a right? When is it fair for that second body to have a right to life?

Madam Speaker, had we chosen to abort our baby, we would've missed out on our beautiful daughter, now 13 years old, teaching herself to play the mandolin and looking forward to high school in the fall. More importantly, she would have missed out on the love of a family, impacting our community and, because she takes after her mother, commanding her younger siblings. Madam Speaker, I believe that I am accountable ultimately to God for what I say in this Chamber, for what I do, for how I vote and for the honesty and integrity with which I represent my constituents. Madam Speaker, Men and Women of the House, what do you believe? Please follow my light and vote against the pending motion.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative White.

Representative **WHITE**: Madam Speaker, thank you for allowing me to speak a second time. And, as most of you know, that's very unusual for me. I'm saddened to hear that some legislators have felt intimidated and afraid. I, too, have felt intimidated by some of the supporters of LD 1619 that have told me to keep my faith to myself. They are under the mistaken idea that I am against this bill because I am a Catholic. I oppose LD 1619 because of science and reason. Tragedies are the worst moments of a person's life. My heart breaks for a mom with that terrible news. But this bill is not just about those situations. As I previously mentioned, Maine has some of the most permissive abortion laws in the U.S., and we all know that. Is it necessary to go to this extreme measure? I would say it is not.

There is a national organization, maybe some of you have heard of it, it's called Democrats for Life. And, in fact, one-third of Democrats are pro-life. I am proud to be included and I will be voting against this motion and voting for the voiceless. The Democrats are supposed to have a big tent, and that means we as members should be able to vote our conscience, our constituents and then the party. And I've been reminded that we should do it in that order. I emphasize we need to defend human rights including the human rights of the preborn child. I will be voting no on the pending motion and against LD 1619. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Sheehan.

Representative **SHEEHAN**: Thank you, Madam Speaker. Madam Speaker, Dear Colleagues, the 20-hour public hearing that we hosted in the Judiciary Committee was nothing short of life-changing for me. Hearing the voices of profoundly engaged Mainers organized in support of and in opposition to the bill allowed me to encounter the voices and hearts of people who want the very best for the world that we share and for the children who hold its future. I heard their stories of pain and loss. I heard the hope and love that they have for each other and our world. I'm grateful for their voices and for the opportunity to contemplate issues with my Committee colleagues that many are discouraged from discussing with each other. These are conversations we shy away from when we disagree with family and with friends and colleagues. This is to the detriment of our society and our world and we need to continue and broaden these conversations with compassion and also with deep humility.

As a legislator, I wish to be able to protect every person in this State who faces the horrible decisions that we heard about. But we as legislators, as agents of State power, do not have the knowledge to draft a Statute that can capture and hold every possible instance. I believe that medical professionals are best positioned to make the decisions to help Mainers make the decisions that will serve them and maintain the ethical guardrails needed in the later stages of pregnancy. I will continue to support legislation that expands Mainers' access to health care across their lifespans, particularly in their reproductive years, as well as policies that will reduce the need for abortions late in pregnancy. But, unfortunately, we as humans will never be able to entirely eliminate those situations and I cannot endorse the heavy hand of the State weighing in during that agonizing moment for any of my neighbors. This is why I'll be supporting the pending motion.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 312

YEA - Ankeles, Arford, Bell, Boyle, Brennan, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Neil, Osher, Paulhus, Pluecker, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Bridgeo, Campbell, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Lajoie, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, O'Connell, Parry, Paul, Perkins, Perry J, Poirier, Polewarczyk, Pomerleau, Quint, Riseman, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White B, White J, Wood, Woodsome.

ABSENT - Abdi, Javner, Kessler, Perry A, Rudnicki.

Yes, 74; No, 72; Absent, 5; Vacant, 0; Excused, 0.

74 having voted in the affirmative and 72 voted in the negative, with 5 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE.**

Committee Amendment "A" (H-700) was READ by the Clerk and **ADOPTED.**

Speaker TALBOT ROSS of Portland moved that the rules be suspended in order to give the Bill its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading.**

Representative FAULKINGHAM of Winter Harbor **OBJECTED** to suspending the rules in order to give the Bill its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading.**

The SPEAKER: The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: Madam Speaker, the stench in this building is overwhelming. I move we adjourn.

The SPEAKER: The Chair would remind those in the gallery to refrain from outbursts in the gallery.

Representative FAULKINGHAM of Winter Harbor moved that the House **ADJOURN.**

Representative TERRY of Gorham **REQUESTED** a roll call on the motion to **ADJOURN.**

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is to Adjourn. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 313

YEA - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Lanigan, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Riseman, Sampson, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

NAY - Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kuhn, Lajoie, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

ABSENT - Abdi, Javner, Kessler, Lavigne, Perry A, Rudnicki.

Yes, 66; No, 79; Absent, 6; Vacant, 0; Excused, 0.

66 having voted in the affirmative and 79 voted in the negative, with 6 being absent, and accordingly the motion to **ADJOURN FAILED**.

Representative FAULKINGHAM of Winter Harbor **REQUESTED** a roll call on the motion to **SUSPEND** Joint Rule 308 for the purpose of giving the Bill its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Chelsea, Representative Lemelin.

Representative **LEMELIN**: Thank you, Madam Speaker. I would like Joint Rule 308 read, please.

The SPEAKER: Joint Rule 308, Reference of Bills to Committee. All bills and resolves must be referred to committee, except that this provision may be suspended by a majority vote in each chamber.

Representative COLLINGS of Portland moved that the House **RECONSIDER** its action whereby **Committee Amendment "A" (H-700)** was **ADOPTED**.

The SPEAKER: The Chair recognizes the Representative from Poland, Representative Boyer.

Representative **BOYER**: Point of clarification, Madam Speaker. I believe the motion on the floor was objection to the Second Reading and the Representative from Winter Harbor asked for Roll Call on that objection to suspend the rules.

The SPEAKER: The Chair would advise that the motion to Reconsider is in order on the current or succeeding legislative day.

Representative TERRY of Gorham **REQUESTED** a roll call on the motion to **RECONSIDER** the House's action whereby **Committee Amendment "A" (H-700)** was **ADOPTED**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Alfred, Representative Sampson.

Representative **SAMPSON**: Thank you, Madam Speaker. It was very unclear what you said. Could you please repeat what it is that we are actually voting on and what it was you just tried to explain to us, please? We couldn't understand. Thank you.

The SPEAKER: The pending question is reconsideration of our actions whereby we adopted Committee Amendment "A". A Roll Call is in order.

The Chair recognizes the Representative from Alfred, Representative Sampson.

Representative **SAMPSON**: Thank you. Sorry for the confusion but you were trying to explain; Rob Hunt was trying to explain some things to you and then your words got; we couldn't really hear what you were saying. So, could you please repeat those instructions to us? Not the motions right now, we understand those. Thank you.

The SPEAKER: The motion to Reconsider is in order on the same or succeeding legislative day.

The Chair recognizes the Representative from Auburn, Representative Libby.

Representative **LIBBY**: Thank you, Madam Speaker. May I ask a question through the Chair?

The SPEAKER: The Member may proceed.

Representative **LIBBY**: I know we're not supposed to question the intent, but I am questioning the procedural intent here, Madam Speaker. Is the intent to strip the current Amendment from the bill and then add the amendment that was put forward by the Good Representative from Portland?

The SPEAKER: The Member has posed a question. The Chair recognizes the Representative from Portland, Representative Collings.

Representative **COLLINGS**: My apologies, Madam Speaker. It is my intent to present an amendment.

The SPEAKER: A roll call has been ordered. The pending question before the House is to Reconsider the House's action whereby Committee Amendment "A" (H-700) was Adopted. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 314

YEA - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Collings, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Lanigan, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Riseman, Sampson, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White B, White J, Wood, Woodsome.

NAY - Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kuhn, Lajoie, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, Williams, Worth, Zager, Zeigler, Madam Speaker.

ABSENT - Abdi, Javner, Kessler, Lavigne, Perry A, Rudnicki.

Yes, 68; No, 77; Absent, 6; Vacant, 0; Excused, 0.

68 having voted in the affirmative and 77 voted in the negative, with 6 being absent, and accordingly the motion to **RECONSIDER** whereby the House **ADOPTED Committee Amendment "A" (H-700) FAILED.**

The SPEAKER: The Chair recognizes the Representative from Buxton, Representative Carlow.

Representative **CARLOW**: Parliamentary inquiry.

The SPEAKER: The Member may proceed.

Representative **CARLOW**: Joint Rule 308 deals with reference of bills to Committee. The objection that Leader Faulkingham had raised was objection to the second reading of the bill today. Could the Chair please clarify why this question is currently before the Body?

The SPEAKER: The Chair would answer that suspension of Joint Rule 308 which allows the Second Reading of the Bill Without Reference to the Committee on Bills in the Second Reading.

The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: Can you explain the votes?

The SPEAKER: All those in favor of suspending Joint Rule 308 will vote yes, those opposed will vote no.

A roll call having been previously ordered, the pending question before the House is Suspension of Joint Rule 308. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 315

YEA - Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kuhn, Lajoie, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Lanigan, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Riseman, Sampson, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Walker, White B, White J, Wood.

ABSENT - Abdi, Javner, Kessler, Lavigne, Perry A, Rudnicki, Underwood, Woodsome.

Yes, 78; No, 65; Absent, 8; Vacant, 0; Excused, 0.

78 having voted in the affirmative and 65 voted in the negative, with 8 being absent, and accordingly the rules were suspended and the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading.**

The SPEAKER: The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: Madam Speaker, that motion requires two-thirds vote.

The SPEAKER: Joint Rule 308, Reference of Bills to Committee. All bills and resolves must be referred to committee, except that this provision may be suspended by a majority vote in each chamber.

Representative **FAULKINGHAM** of Winter Harbor moved to **COMMIT** the Bill and all accompanying papers to the Committee on **JUDICIARY.**

Representative **TERRY** of Gorham **REQUESTED** a roll call on the motion to **COMMIT** the Bill and all accompanying papers to the Committee on **JUDICIARY.**

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

After Midnight

The SPEAKER: The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: Madam Speaker, I rise in support of the pending motion. This bill has already torn us apart. It has not just torn both sides of the aisle apart, but it has torn your caucus apart. My mind is honestly blown, Madam Speaker, that we would push through a bill this careless, no guardrails on this bill, and the bill itself was debated for a long time earlier. Madam Speaker, there are at least reasonable Amendments out there floating around and some reasonable ideas that can be discussed. So, to take care of this situation dealing with one woman that we heard about. Madam Speaker, let's not let this bill passing to be engrossed be the ruin of all the work we've done. Let's not let that happen. I urge the Members to vote yes for the pending motion and send this bill back to the Judiciary Committee so it can be thoroughly worked on. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Madison, Representative Ducharme.

Representative **DUCHARME**: Thank you, Madam Speaker. December 7th last year when we were sworn in, I met you for the first time out in the hallway and we had a conversation. And the conversation went like this; you and I both agreed that there wasn't anybody in this Chamber that didn't want to do the right thing for the people of Maine. We all had a different way to get to the right thing. I'm going to ask you tonight; is the right thing for the people of Maine to ignore the thousands of people that have testified against this bill, to ram this thing through in the middle of the night because you can? Is that the right thing to do? Is that the right thing to do for the people of Maine? It may be the right thing to do for you, Madam Speaker, but I'm here to tell you it is not the right thing to do for the people of Maine. Thank you.

The SPEAKER: The Chair recognizes the Representative from Fort Kent, Representative Theriault.

Representative **THERIAULT**: Madam Speaker and Members of the House, I come from the St. John Valley, who tonight are watching us tear each other apart in this Chamber. And I feel like crying, but I'm not. Because I know we can do better. My grandmother is almost 80 years old, a Democrat from the St. John Valley and she is not alone tonight. This may be the most important vote that we take all year because we can actually get this right. There are members in our caucus who I think can commit to getting this right with you, Madam Speaker, in good-faith negotiations. But the way business was conducted today is not the business that the people of the State of Maine expect from their legislators. I don't care what party you are, Republican, Democrat or Independent. This is why good people sit on the sidelines. And there are good hearts here sitting in all of these chairs tonight. They are good hearts and everybody wants what's best for the State of Maine. But what we don't realize is what happens in here is not in a vacuum. People take this to their jobs and their workplaces and Madam Speaker, when we have to twist arms, we're not setting a good example for our kids and our grandkids.

So, I do rise in support of this motion and I ask my colleagues on the other side to give us a chance to get this right so that the headline on the *Bangor Daily* says that Maine legislators came together in a moment when they were divided and almost split apart, put politics aside and did what was right

for our fellow constituents. And I still hope and pray that those that stuck around to see and sacrificed being away from their family at this time of night can see that we have one last chance before the ship sails and I'm afraid there's no turning back from that. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is to Commit the bill and all accompanying papers to the Committee on Judiciary. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 316

YEA - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Collings, Costain, Cray, Cyrway, Davis, Dill, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Lanigan, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, O'Connell, Parry, Paul, Perkins, Perry J, Poirier, Polewarczyk, Pomerleau, Quint, Riseman, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Walker, White B, White J, Wood.

NAY - Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Copeland, Crafts, Craven, Crockett, Dhalac, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kuhn, Lajoie, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Neil, Osher, Paulhus, Pluecker, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, Williams, Worth, Zager, Zeigler, Madam Speaker.

ABSENT - Abdi, Javner, Kessler, Lavigne, Perry A, Rudnicki, Underwood, Woodsome.

Yes, 69; No, 74; Absent, 8; Vacant, 0; Excused, 0.

69 having voted in the affirmative and 74 voted in the negative, with 8 being absent, and accordingly the motion to **COMMIT** the Bill and all accompanying papers to the Committee on **JUDICIARY FAILED**.

Representative **FAULKINGHAM** of Winter Harbor **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended by Committee Amendment "A" (H-700)**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

Representative **LIBBY** of Auburn moved that the Bill and all accompanying papers be **INDEFINITELY POSTPONED**.

The same Representative **REQUESTED** a roll call on the motion to **INDEFINITELY POSTPONE** the Bill and all accompanying papers.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Libby.

Representative **LIBBY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House, and the people of Maine. There has been some confusion in the Chamber tonight, so I'd like to rise and set the record straight. There's confusion about who's in charge in the State House, Madam Speaker. There's confusion about the 30-minute recess that we took earlier this evening. There's confusion about the reason for that and why it was prolonged into a five-hour recess, Madam Speaker. There's so much confusion, it's time to address it and make transparent to the people of Maine exactly what has gone on in their House, the People's House tonight, Madam Speaker. Because, Madam Speaker, it turns out we the legislators are not

in charge of this Chamber; Planned Parenthood is, in fact, in charge of this Chamber. At 5:15, we took a break. A 30-minute break to contemplate an Amendment. At that point, LD 1619 would have been defeated if we had moved to a vote. But Planned Parenthood, in November of 2022, bought the elections in the State of Maine and seated legislators in this room --

Representative **SAYRE**: Point of Order.

The SPEAKER: The Member will defer. The Chair recognizes the Representative from Kennebunk, Representative Sayre.

Representative **SAYRE**: The Member is questioning the motives and intentions of the other Members of this Body.

On **POINT OF ORDER**, Representative SAYRE of Kennebunk objected to the comments of Representative LIBBY of Auburn because she was questioning the motives of other Members of the House.

The SPEAKER: The Chair will remind Members to limit their comments to the pending legislation.

The Chair reminded Representative LIBBY of Auburn to confine her debate to the question before the House.

The SPEAKER: The Member may proceed.

Representative **LIBBY**: Thank you, Madam Speaker. Unless Planned Parenthood is a Member of this Body, I was not impugning anyone's intentions in this Body. Madam Speaker, Planned Parenthood didn't want an amendment to this bill. Planned Parenthood dictated to this Body that it would not be accepted. We watched all day as Representatives who might vote with us were followed out of this Chamber and were whipped to vote for the bill.

This bill is not about rare situations. If it was, the Good Representative's amendment, the Good Representative from Portland, his amendment would've been attached to this bill. Tonight was about Planned Parenthood's agenda to expand abortion in Maine to any time for any reason. That is what happened in this Chamber tonight. I want to thank the brave folks on the other side of the aisle who stood strong and voted their conscience tonight.

Representative **ROBERTS**: Point of Order.

The SPEAKER: The Member will defer. The Chair recognizes the Representative from South Berwick, Representative Roberts.

Representative **ROBERTS**: Thank you, Madam Speaker. Point of order. The Member's comments are not germane to the motion.

On **POINT OF ORDER**, Representative ROBERTS of South Berwick asked the Chair if the remarks of Representative LIBBY of Auburn were germane to the pending question.

The SPEAKER: The Chair would remind Members to limit their comments to the motion before the Body.

The Chair reminded Representative LIBBY of Auburn to stay as close as possible to the pending question.

The SPEAKER: The Member may proceed.

Representative **LIBBY**: Thank you, Madam Speaker. Well, Madam Speaker, I've gotten to know a lot of people of Maine over the last number of months and I'm fairly certain that those folks would like to see this bill indefinitely postponed. That's certainly pertinent to the motion at hand.

When we ended the public hearing on May 1st on this bill that we're voting on indefinite postponement for, I said that 1619 had woken up the people of Maine and that they would not fall back to sleep. And tonight, I am more convinced of that than ever. And I thank those people who don't want to see this bill pass and who do want to see it indefinitely postponed, Madam Speaker, for making their voices heard. And I know that they will continue to make their voices heard so that eventually at

some point in the future the tyranny of the majority will no longer rule this House Chamber. And, if it's not asking too much, I will say thank you to the people of Maine who have made their voices heard very clearly and told all of us that they have no interest in seeing abortion expanded in Maine to late term. Please follow my light.

The SPEAKER: A roll call has been ordered. The pending question before the House is Indefinite Postponement of the Bill and all accompanying papers. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 317

YEA - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Collings, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Lanigan, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, O'Connell, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Sampson, Schmursal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Walker, White B, White J, Wood.

NAY - Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kuhn, Lajoie, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Neil, Osher, Paulhus, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, Williams, Worth, Zager, Zeigler, Madam Speaker.

ABSENT - Abdi, Javner, Kessler, Lavigne, Perry A, Perry J, Rudnicki, Underwood, Woodsome.

Yes, 66; No, 76; Absent, 9; Vacant, 0; Excused, 0.

66 having voted in the affirmative and 76 voted in the negative, with 9 being absent, and accordingly the motion to **INDEFINITELY POSTPONE** the Bill and all accompanying papers **FAILED**.

Representative LIBBY of Auburn moved that the House **ADJOURN** until 10:00 a.m. Friday, June 23, 2023.

Representative TERRY of Gorham **REQUESTED** a roll call on the motion to **ADJOURN** until 10:00 a.m. Friday, June 23, 2023.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is to Adjourn until 10:00 a.m. Friday, June 23. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 318

YEA - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Collings, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Lanigan, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Riseman, Sampson, Schmursal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Walker, White J, Wood.

NAY - Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kuhn, Lajoie, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Pluecker, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

ABSENT - Abdi, Javner, Kessler, Lavigne, Perry A, Perry J, Rudnicki, Underwood, Woodsome.

Yes, 65; No, 77; Absent, 9; Vacant, 0; Excused, 0.

65 having voted in the affirmative and 77 voted in the negative, with 9 being absent, and accordingly the motion to **ADJOURN** until 10:00 a.m. Friday, June 23, 2023 **FAILED**.

The SPEAKER: The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: Madam Speaker, I move we invoke House Rule 501.

The SPEAKER: The Chair would answer that the time being 12:50, the House Rule has been suspended pursuant to implication.

The SPEAKER: The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: I appeal from the decision of the Chair.

The same Representative **APPEALED** the Ruling of the Chair that House Rule 501 had been suspended.

Representative **TERRY** of Gorham **REQUESTED** a roll call on the motion to **APPEAL** the Ruling of the Chair.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Milford, Representative Drinkwater.

Representative **DRINKWATER**: Thank you, Madam Speaker. You know, I love this place. I don't care what time it is. I have a lot of respect for a lot of people in this room. And, Madam Speaker, what I'm witnessing at this time of night is not becoming to a Body that we respect.

We lost, that side won, we'll get another bite at the apple. I think it's time; and if I may just for a minute talk to my fellow Republicans. We've talked about how we were going to react. Let's take the high road. Let's do that. Let's stop this. Let's come back tomorrow, fight another day. Even though, Madam Speaker, we feel on this side, and myself included, that that half an hour break that was supposedly been taken, extended to four hours, was very disrespectful. We wanted to come back to work but we knew what was happening behind the scenes and that grinds on us. Lord forbid that we ever take the majority and do the same thing to the other side. You're setting the example for us on how to operate here. I'm not very happy with the example I'm seeing. The vote was held open for 45 minutes. So, apparently, that's how we're going to conduct business if we ever get the majority. I don't think we should treat each other this way. Let's end these games, let's come back tomorrow, let's go back to work for the people and let's try to heal what's happened here tonight. Feelings are frayed right now, Madam Speaker. There's a lot of us in here, Madam Speaker, that we don't even take our jackets off because we have such high esteem for this House and what I'm seeing is this House being destroyed from within. A house divided cannot stand and what I'm witnessing is the degradation and the destruction of an

institution that a lot of us in here; in fact, I'd say all of us here; respect and love. So, let's end the games, let's take this vote. Madam Speaker, you said a while ago that there's a lot of people that have to travel a long way to get home and that you were going to try to end things at a fairly reasonable hour. We've reached that hour, people have to drive to get home, let's stop with this, let's vote, let's finish our business and let's come back, you know, at a reasonable time today. Thank you.

The SPEAKER: The Chair recognizes the Representative from Windham, Representative Pringle.

Representative **PRINGLE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I don't know if it's okay to share my experience 10 years ago in this House but we came and I know many of us came to try to get Medicaid expanded. We passed it five times and five times the Chief Executive vetoed it and we were not able to override that veto. So, I have a lot of empathy for how it feels to be on the losing side and to have resilience. I have respect for everyone else but, honestly, what we've experienced this last hour or hour and a half, and I recognize that our caucus was having a lot of discussion that delayed you having to wait but I think we've made you wait, you've made us wait, and I would make a plea, Madam Speaker, that we do as the kind Representative said and bury the hatchet for tonight and go home and get some sleep and come back and try to be again working together tomorrow. Thank you.

The SPEAKER: The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: Madam Speaker, at 5 p.m., we were moments away from voting on this bill and then we took a five-hour break. That was seven or eight hours ago. Madam Speaker, it is time for everyone to go home. Vote yes for the pending motion.

The SPEAKER: A roll call has been ordered. The pending question before the House is to Appeal the Ruling of the Chair. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 319

YEA - Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Campbell, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Davis, Dhalac, Dill, Dodge, Doudera, Drinkwater, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Henderson, Hepler, Hobbs, Jauch, Kuhn, Lajoie, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mason, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, Nutting, O'Connell, O'Neil, Osher, Paulhus, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sampson, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Swallow, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Ducharme, Dunphy, Faulkingham, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Hymes, Jackson, Lanigan, Lemelin, Libby, Lyman, Millett H, Morris, Ness, Newman, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Theriault, Thorne, Walker, White J, Wood.

ABSENT - Abdi, Foster, Javner, Kessler, Lavigne, Perry A, Perry J, Rudnicki, Underwood, Woodsome.

Yes, 87; No, 54; Absent, 10; Vacant, 0; Excused, 0.

87 having voted in the affirmative and 54 voted in the negative, with 10 being absent, and accordingly the Ruling of the Chair was **SUSTAINED**.

The SPEAKER: The Chair recognizes the Representative from Phillips, Representative Soboleski.

Representative **SOBOLESKI**: Thank you, Madam Speaker. I motion the House stand at recess until the time of your choosing later in the day.

The SPEAKER: The Chair recognizes the Representative from Phillips, Representative Soboleski.

Representative **SOBOLESKI**: Thank you very much. I didn't know I needed to specify a time on that. So, I'd like a motion that we stand in recess until 10:00 a.m. tomorrow morning. Thank you. Today.

The SPEAKER: The motion is out of order.

The SPEAKER: The Chair recognizes the Representative from Albion, Representative Cyrway.

Representative **CYRWAY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. You know, I've been in law enforcement and I know when there's time for public safety and this is one of them. Health-wise, I've seen people upstairs, the put all day long, all the people here, we had a doctor just speak just a minute ago thinking it's a good idea we go home. We have several elderly people that health-wise shouldn't be here. I'm just trying to say that we --

Representative **ROBERTS**: Point of Order.

The SPEAKER: The Member will defer. The Chair recognizes the Representative from South Berwick, Representative Roberts.

Representative **ROBERTS**: Thank you, Madam Speaker. Point of Order. The Representative's comments are not germane to the motion.

On **POINT OF ORDER**, Representative ROBERTS of South Berwick asked the Chair if the remarks of Representative CYRWAY of Albion were germane to the pending question.

The SPEAKER: The Chair would encourage the Member to keep his comments germane to the motion.

The Chair reminded Representative CYRWAY of Albion to stay as close as possible to the pending question.

The SPEAKER: The Member may proceed.

Representative **CYRWAY**: All I'm asking is maybe take a few minutes and have leadership come to the Well and maybe you could talk and maybe come up with a solution so we could get the people home.

The SPEAKER: A roll call having been previously ordered, the pending question before the House is Passage to be Engrossed as Amended by Committee Amendment "A" (H-700). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 320

YEA - Ankeles, Arford, Bell, Boyle, Brennan, Cloutier, Cluchey, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Faulkingham, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Neil, Osher, Paulhus, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Bridgeo, Campbell, Carlow, Carmichael, Collamore, Collings, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Henderson, Hymes, Lajoie, Lanigan, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, O'Connell, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Sampson,

Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Walker, White B, White J, Wood.

ABSENT - Abdi, Costain, Cray, Foster, Hall, Jackson, Javner, Kessler, Lavigne, Perry A, Perry J, Rudnicki, Underwood, Woodsome.

Yes, 75; No, 62; Absent, 14; Vacant, 0; Excused, 0.

75 having voted in the affirmative and 62 voted in the negative, with 14 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-700)**.

The SPEAKER: The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: Thank you, Madam Speaker. Having voted on the prevailing side, I request the bill be held.

The SPEAKER: The Chair would answer that the bill has been held by another Member.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

The SPEAKER: The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: Madam Speaker, I had a note right beside you to be delivered as soon as you hit the gavel. How could another Member hold the vote?

The SPEAKER: Another Member delivered a note ahead of yours. They are first in the queue.

The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: Who is holding the bill?

The SPEAKER: The Chair would answer that that information is confidential until we adjourn at the end of the day pursuant to tradition of the House.

Representative **FAULKINGHAM** of Winter Harbor **APPEALED** the Ruling of the Chair.

Representative TERRY of Gorham **REQUESTED** a roll call on the motion to **APPEAL** the Ruling of the Chair.

Subsequently, Representative **FAULKINGHAM** of Winter Harbor **WITHDREW** his **APPEAL** of the Ruling of the Chair.

On motion of Representative TERRY of Gorham, the House adjourned at 1:32 a.m., until 10:00 a.m., Friday, June 23, 2023, in honor and lasting tribute to the Honorable Michael Wayne Quint of Hodgdon and Christopher R. Sherrill of Southport.