MAINE STATE LEGISLATURE

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Legislative Record

House of Representatives

One Hundred and Thirty-First Legislature

State of Maine

Daily Edition

First Special Session

Beginning April 5, 2023

Beginning with Page H-277

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "A" (H-634) to Committee Amendment "A" (H-433). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 279

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

NAY - Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Neil, Osher, Paulhus, Perry A, 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, Carlow, Javner, O'Connell, Theriault.

Yes, 70; No, 75; Absent, 5; Vacant, 0; Excused, 1.

70 having voted in the affirmative and 75 voted in the negative, with 5 being absent and 1 excused, and accordingly **House Amendment "A" (H-634)** to **Committee Amendment "A" (H-433)** was **NOT ADOPTED**.

Subsequently, **Committee Amendment "A" (H-433)** 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" (H-433)** and sent for concurrence.

HOUSE DIVIDED REPORT - Report "A" (8) **Ought to Pass as Amended by Committee Amendment "A" (H-435)** - Report "B" (4) **Ought Not to Pass** - Report "C" (1) **Ought to Pass as Amended by Committee Amendment "B" (H-436)** - Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Remove Barriers to Abortion Coverage in Private Insurance"

(H.P. 582) (L.D. 935)

TABLED - June 14, 2023 (Till Later Today) by Representative PERRY of Calais.

PENDING - **ACCEPTANCE OF ANY REPORT**.

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

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

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 Turner, Representative Morris.

Representative **MORRIS**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to the pending motion. Under Maine Law, there is a requirement that any new mandate, which is what this bill proposes to do, mandating that insurance companies cover all abortions as first-dollar coverage without any co-pays or co-insurance, be sent to the Bureau of Insurance for a mandate study. This bill did not have that. That's why for that reason, I am moving that we send this bill back to the Committee on Health Coverage, Insurance and Financial Services, so that we can effectively do the work that we are supposed to do under Maine Law and have this studied by the Bureau so we know what the cost is going to be to our ratepayers in the State of Maine.

Representative MORRIS of Turner moved to **COMMIT** the Bill and all accompanying papers to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES**.

Representative TERRY of Gorham **REQUESTED** a roll call on the motion to **COMMIT** the Bill and all accompanying papers to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES**.

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 Houlton, Representative Swallow.

Representative **SWALLOW**: Thank you, Madam Speaker. I wanted to speak against the other motion. My light was on before, so I'll wait till after Roll Call.

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 Health Coverage, Insurance and Financial Services. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 280

YEA - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, 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, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Neil, Osher, Paulhus, Perry A, 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, Carlow, Javner, Lanigan, Lavigne, O'Connell, Perry J, Theriault.

Yes, 63; No, 79; Absent, 8; Vacant, 0; Excused, 1.

63 having voted in the affirmative and 79 voted in the negative, with 8 being absent and 1 excused, and accordingly the motion to **COMMIT** the Bill and all accompanying papers to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES FAILED**.

The SPEAKER: The Chair recognizes the Representative from Houlton, Representative Swallow.

Representative **SWALLOW**: Thank you, Madam Speaker. I stand in opposition to this motion. We have many bills that deal with the emotional issue of abortion. However, this bill, in some ways, is unique from other such legislation we've had in the past and we will be considering yet.

I can remember back to a time when speaking with my pastor who stated, you will know what the person's true priorities in life not by what they say but by looking at their checkbook. In essence, he was saying that a person's true heart is best illustrated by the priority and importance they give to certain and specific expenditures above all others. This bill states in the case of pregnancy if one chooses abortion, it is to be paid in full by the insurance carrier, first-dollar coverage; there are no co-pays, no co-insurance, no deductibles, no financial worries. You're covered. However, should you choose to carry a baby to birth, then good luck. You will be responsible for the co-pays, co-insurance and deductibles.

LD 935 has nothing to do with whether one is pro-choice or not. This legislation takes us to the next level, an as-yet-uncharted level well beyond the issue of choice. What this legislation clearly says about us with its spending directives in a very subtle and subdued manner is that we not only support choice, but we both value and prioritize abortion over life. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Calais, Representative Perry, and inquires as to why she rises.

Representative **PERRY**: I'm wondering what we're voting on. I thought we were voting on the House Amendment.

The SPEAKER: The Chair would reply that we are voting on Acceptance of Report "A," Ought to Pass as Amended.

A roll call having been previously ordered, the pending question before the House is Acceptance of Report "A" Ought to Pass as Amended. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 281

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, Hobbs, Jauch, Kessler, Kuhn, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Neil, Osher, Paulhus, Perry A, 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, Campbell, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Hasenfus, Henderson, Hepler, Hymes, Jackson, Landry, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Underwood, Walker, White B, White J, Wood, Woodsome.

ABSENT - Abdi, Carlow, Javner, Lanigan, Lavigne, O'Connell, Perry J, Theriault.

Yes, 75; No, 67; Absent, 8; Vacant, 0; Excused, 1.

75 having voted in the affirmative and 67 voted in the negative, with 8 being absent and 1 excused, and accordingly Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-435)** 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-435)** and sent for concurrence.

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 **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Enact the Curriculum Transparency Act"

(H.P. 714) (L.D. 1129)

Signed:
Senators:
RAFFERTY of York
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 to Pass as Amended by Committee Amendment "A" (H-641)** on same Bill.

Signed:
Senator:
LIBBY of Cumberland
Representatives:
BAGSHAW of Windham
LYMAN of Livermore Falls
POLEWARCZYK of Wiscasset
SAMPSON of Alfred

READ.

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

Representative SAMPSON of Alfred **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 Alfred, Representative Sampson.

Representative **SAMPSON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Sunshine is the best disinfectant. Transparency is the sunshine for our schools. A wildly popular policy among parents throughout Maine is transparency with our schools, School Boards and administrations. Pulling back the veil between school systems, parents and taxpayers would be, it's sad to say, an innovative idea. However, upon examination of the Federal Law, Maine is