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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

Non-Concurrent Matter

An Act to Clarify the Requirements for Adult Use Cannabis Stores to Transact Sales at Specified Events (EMERGENCY)

(S.P. 102) (L.D. 202)

(C. "A" S-384)

FAILED of **PASSAGE TO BE ENACTED** in the House on June 26, 2023.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-384) AS AMENDED BY SENATE AMENDMENT "A" (S-414)** thereto in **NON-CONCURRENCE**.

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

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

ENACTOR

Act

An Act Regarding Consent for Gender-affirming Hormone Therapy for Certain Minors

(H.P. 340) (L.D. 535)

(C. "A" H-596)

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

On motion of Representative POIRIER of Skowhegan, 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 Rumford, Representative Henderson.

Representative **HENDERSON**: Thank you, Madam Speaker. I guess it's pretty important to just be able to pivot rather quickly in this Chamber.

I think our requests have been pretty simple this year. We want tax breaks, we don't want fully-viable children killed and we don't want our teenagers mutilated. It's pretty simple requests. And yet, here we are with 535 in front of us, which would allow gender-affirming care, hormone therapy; let's call it like it is, we're not talking surgeries, but hormone therapy; without parental consent.

Gender dysphoria is classified as a psychological diagnosis. We heard testimony, powerful testimony, from a young woman who is a de-transitioner who talked about the effects that hormone replacement therapy had on her body and that at 25, she's in full-blown menopause, having made the worst decision of her life in her teen years, with family that affirmed; de-firmed; her gender. Hormone replacement therapy has a permanent effect on the body. This is not something that should be stepped into lightly. We heard testimony from Quinn Gormley, the former Executive Director of TransNet, that anywhere from eight to 12 months after hormone replacement therapy has been started, the effects of it are irreversible. There is no decision, I think, outside of showering and brushing my teeth, at 16 years old that I wanted to be a life-long decision and with these hormones being irreversible, this woman that spoke to us at 25 years old as a de-transitioner, she stated within just months, her hips had narrowed, her shoulders had broadened, she's in the beginning stages; and forgive me, I'm not a medical professional; of osteoporosis, whatever that first diagnosis is before osteoporosis. She'll never have children, she'll never have a normal sex life. These are permanent changes. I'm not here to debate the legitimacy of gender dysphoria or to try to trample on the decisions of adults. What I am here to talk about or ask you to please consider is that we are allowing with this bill 16- and 17-year-olds to permanently alter their body and change the trajectory of their lives.

A bill was passed in the 129th, I believe, that requires psychologists, psychiatrists; when someone goes to them and says, as a biological male, I think I'm a woman in a man's body, we passed a law stating that psychiatrists can only affirm that. They can do nothing but affirm what the patient has come to them. There's no way for them, for psychiatrists to try to explore any other options other than simply affirming that gender. With minors, in the 130th, we passed a law that says one, one parent, it only requires one parent to sign off. Section 7 of this bill reaffirms; pardon the pun; reaffirms that there's no change to the laws on how gender affirming care for minors with parental consent is handled. And that is 15 years old and younger going back as far as the beginning of puberty can begin gender-affirming care. It takes a simple Google search that was suggested to me by one of my colleagues in the Committee, a simple Google search to find that there are girls as young as seven years old who begin puberty. So, simple math would say if a girl as young as seven years old can begin gender-affirming care, in eight to 12 months hormone replacement therapy is irreversible, that would mean a child as young as the age of eight would have a permanently altered body.

I am humbled to serve this State. A year ago, it was not even in my wildest dreams that I would be standing before such a Body today, that I would have this kind of opportunity. I don't know what my future holds but I know that my time spent here has been incredible. But what really blows my mind is the fact that I stand here, the end of June, imploring some of the brightest minds in the State of Maine to not mutilate our children, to not kill healthy babies inside the womb. I'm having a hard time wrapping my head around this. I get that the votes have been cast and that this is simply enactment and maybe, maybe my words have no impact, but please consider, if that even works anymore, that gender-affirming care, it's just a great concept, right? Even the words sound really good.

Madam Speaker, you know what I did this weekend? I didn't do any chores; I did laundry so I'd have clean clothes; I spent time with my nieces and nephews. That's all I did. I played with the 11-week-old and she smiled and giggled. I reminded my nephews that they've got a future and they're perfect. They could do anything that they wanted and they're built to do hard things because life's going to be hard.

There's a lot of power in this room. I know I'm just going on at this point but, you know, this is a culmination of a lot of weeks of just being beat up day after day. We have the power in this room to do what's right by our kids. I'm asking that we do that. Let the adults do what they want to do. Adults with gender dysphoria? Let them. I'm not here standing in the way. We're talking children. It's interesting that 535 and 1619 came up on the same day.

The SPEAKER: The Chair recognizes the Representative from Naples, Representative Walker.

Representative **WALKER**: Thank you, Madam Speaker. I rise to correct my colleague, the Representative from Rumford. She asked the question what are we doing to our children. Actually, we're doing it to other peoples' children.

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

Representative **MORIARTY**: Thank you, Madam Speaker. Good evening, Fellow Members of the House. I was absent from the House yesterday morning when the vote on the bill was

taken. Tonight, on enactment, my vote will be no for the reason that the bill does not provide for parental notification of the diagnosis of gender dysphoria for minors age 17 and 18 and also on the grounds that the bill does not provide for notification to the parents that gender-affirming hormone therapy has been recommended.

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

Representative **POIRIER**: Thank you, Madam Speaker. Madam Speaker, I'll be very brief. I just want to talk about something in the House that hasn't been brought up about this bill yet that was spoken on in Committee hearings. I'm under the impression that youth seeking gender-affirming care do need to go through some sort of diagnosis or counseling. And I did ask in Committee how that works if the youth is underneath their parents' insurance. Regardless if the parent approves of this therapy or not, the insurance company is obligated to pay. That means any co-pays, that means counseling, that means anything, without parental consent. I think we're really overstepping our bounds here and we need to recognize that parents do have the best interests of their children at heart and by putting through a bill such as this, taking out that family element of conversation, I think we're opening floodgates for worse family relations. Whether a parent agrees with what their child is going through or vice versa, conversations need to be had. Secrets and hiding things are not going to improve relationships. We need to start putting family first. Thank you, Madam Speaker.

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

Representative **UNDERWOOD**: Thank you, Madam Speaker. I've got a question for the Chair. May I ask a question?

The SPEAKER: The Member may proceed.

Representative **UNDERWOOD**: My question is what are the MaineCare rates for reimbursement for this particular type of therapy?

The SPEAKER: The Member has posed a question to anyone who wishes to answer.

Seeing none, 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. 347

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

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

ABSENT - Abdi, Collamore, Collings, Costain, Cray, Drinkwater, Gifford, Lanigan, Parry, Perry A, Riseman, Rudnicki, Russell, White B, Zeigler.

Yes, 71; No, 65; Absent, 15; Vacant, 0; Excused, 0.

71 having voted in the affirmative and 65 voted in the negative, with 15 being absent, 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**.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act to Fund Collective Bargaining Agreements with Executive Branch Employees" (EMERGENCY)
(H.P. 1299) (L.D. 2017)
Sponsored by Representative SACHS of Freeport.
(GOVERNOR'S BILL)

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested.

Under suspension of the rules, the Bill was given its **FIRST READING WITHOUT REFERENCE** to a committee.

Under further 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** and sent for concurrence.

ORDERED SENT FORTHWITH.

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

Representative **SAMPSON**: Thank you Madam Speaker, I request unanimous consent to speak on the record.

The SPEAKER: The Representative from Alfred, Representative Sampson, has requested unanimous consent to address the House on the record. Hearing no objection, the Representative may proceed on the record.

Representative **SAMPSON**: Thank you. It should come as no shock to every parent, every lawmaker, every School Board member in the State of Maine to learn from you, Madam Speaker, that the Department of Education has become infested with white supremacist ideology. If, Madam Speaker, what you have said is true, then we should all be outraged. At a minimum, we should demand transparency reforms so that everyone can see for themselves what is going on. If the DOE is full of white supremacists or making decisions based on white supremacy, then let us pull back the curtain and let us have transparency from local school levels to the highest political officials. Let us expand the Freedom of Access Act. Let us require curriculum to be placed online. Let us demand and mandate that the business of public education not be conducted in private, where these evildoers, as you have implied, Madam Speaker, are doing their evil business.

However, every single attempt to make Maine's education system more transparent has been rejected by you, Madam Speaker. So, I wonder why. I know you are concerned about the Department of Education, you have raised your concerns. I have raised my concerns repeatedly; repeatedly; in this Chamber. And, Madam Speaker, you have raised very concerning issues, including white supremacy, and have