MAINE STATE LEGISLATURE

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Senate Legislative Record

One Hundred and Thirty-First Legislature

State of Maine

Daily Edition

First Special Session

Beginning April 5, 2023

Beginning with Page S-387

Committee Amendment "A" (H-402) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED**, in concurrence.

Divided Report

The Majority of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Provide Insurance Coverage for a Second Opinion If a Health Care Provider Recommends an Abortion for Health or Safety Reasons"

H.P. 630 L.D. 995

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-433)**.

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "B" (H-434)**.

Signed:

Senator:
BRAKEY of Androscoggin

Representatives:
CYRWAY of Albion
MORRIS of Turner
NUTTING of Oakland

Comes from the House with the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-433)** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-433)**.

Reports **READ**.

On motion by Senator **BAILEY** of York, the Majority **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-433)** Report **ACCEPTED**, in concurrence.

Bill **READ ONCE**.

Committee Amendment "A" (H-433) **READ** and **ADOPTED**, in concurrence.

Under suspension of the Rules, **READ A SECOND TIME** and **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-433)**, in concurrence.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Conform State Funding to the Federal Hyde Amendment, Limiting Funding for Some Abortion Services"

H.P. 311 L.D. 494

Reported that the same **Ought Not to Pass**.

Signed:

Senators:
CARNEY of Cumberland
BAILEY of York

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

The Minority of the same Committee on the same subject reported that the same **Ought To Pass as Amended by Committee Amendment "A" (H-280)**.

Signed:

Senator:
BRAKEY of Androscoggin

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

(Representative DANA of the Passamaquoddy Tribe - of the House - supports the Minority **Ought To Pass as Amended** Report.)

Comes from the House with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

Reports **READ**.

Senator **CARNEY** of Cumberland moved the Senate **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence.

On motion by Senator **STEWART** of Aroostook, supported by a Division of one-fifth of the members present and voting, a Roll Call was ordered.

THE PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Brakey.

Senator **BRAKEY**: Thank you, Mr. President. I rise against the pending motion on this bill coming out of the Judiciary Committee, so, against the Ought Not to Pass Report, and in favor of the Ought to Pass as Amended Report. This bill concerns taxpayer funding for abortion. This bill seeks to return Maine to the status where we were just a few short years ago of being in conformity with the federal Hyde Amendment, which has just basically been a prohibition of taxpayer money funding abortion. This has nothing to do with the legality of abortion, there's many - I'm sure there's many debates around various aspects of that on other bills. This is simply whether or not taxpayers who have a deep, deep moral conviction that this is murder, if we're going to force them against their will to pay for it. I don't think it's right, regardless of what your personal view is on abortion, I don't think it's right to take someone's taxpayer money and force them to fund something they morally object to. That's the first point I want to make, and I think that's the most important point. The second point - of lesser importance but still of importance - is the fact that because the federal Hyde Amendment is still in place, where we're talking about - when we're talking about taxpayer funded abortion, we're talking through the Medicaid program. The federal government - so, most things we spend money on with Medicaid, you get federal matching funds, right, you kick in a dollar, and you get two dollars from the federal government on most things - except Medicaid expansion, you get nine to one, it's a whole other story. In this case, because the federal Hyde Amendment is in place, we don't get any matching funds for this. So, when we're talking about paying for abortion services with taxpayer money, it's a hundred percent state tax dollars, no federal dollars whatsoever. Again, secondary point - the most important point is we shouldn't be taking peoples' money and forcing them to pay for things that they find deeply, deeply morally objectionable. So, I will be voting against the motion, and I invite others to join me. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Carney.

Senator **CARNEY**: Thank you, Mr. President. I just rise very briefly to explain that we don't always get to pick and choose what our tax dollars go to, but in this case, I think what we've seen in the last three sessions of the Legislature is that Maine made a policy decision that abortion care is healthcare and that we're going to be providing coverage for that just as we do all other healthcare, and I urge my colleagues to support the pending motion.

THE PRESIDENT: The pending question before the Senate is Acceptance of the Majority Ought Not to Pass Report. A roll call has been ordered. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#403)

YEAS: Senators: BAILEY, BALDACCI, BEEBE-CENTER, BRENNER, CARNEY, CHIPMAN, CURRY, DAUGHTRY, DUSON, GROHOSKI, HICKMAN, INGWERSEN, LAFOUNTAIN, LAWRENCE, NANGLE, PIERCE, RAFFERTY, RENY, ROTUNDO, TIPPING, VITELLI, PRESIDENT JACKSON

NAYS: Senators: BENNETT, BLACK, BRAKEY, FARRIN, GUERIN, HARRINGTON, LIBBY, LYFORD, MOORE, POULIOT, STEWART, TIMBERLAKE

EXCUSED: Senator: KEIM

22 Senators having voted in the affirmative and 12 Senators having voted in the negative, with 1 Senator being excused, the motion by Senator **CARNEY** of Cumberland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report, in concurrence, **PREVAILED**.

Divided Report

The Majority of the Committee on **JUDICIARY** on Bill "An Act to Facilitate the Installation of Safe Haven Baby Boxes at Hospitals, Law Enforcement Facilities and Fire Departments"
H.P. 335 L.D. 530

Reported that the same **Ought to Pass as Amended by Committee Amendment "A" (H-521)**.

Signed:

Senator:
LYFORD of Penobscot

Representatives:
ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford
LEE of Auburn
MORIARTY of Cumberland
POIRIER of Skowhegan

The Minority of the same Committee on the same subject reported that the same **Ought Not To Pass**.

Signed:

Senators:
CARNEY of Cumberland
BAILEY of York

Representatives:
MOONEN of Portland
KUHN of Falmouth
RECKITT of South Portland
SHEEHAN of Biddeford