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Senate Legislative Record

One Hundred and Thirty-First Legislature

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Beginning with Page S-387

Eight members of the 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

Reported in Report **"A"** that the same **Ought to Pass as Amended by Committee Amendment "A" (H-435)**.

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

Four members of the same Committee on the same subject reported in Report **"B"** that the same **Ought Not to Pass**.

Signed:

Senator:
BRAKEY of Androscoggin

Representatives:
CYRWAY of Albion
NUTTING of Oakland
SWALLOW of Houlton

One member of the same Committee on the same subject reported in Report **"C"** that the same **Ought to Pass as Amended by Committee Amendment "B" (H-436)**.

Signed:

Representative:
MORRIS of Turner

Comes from the House with Report **"A", OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-435)**, **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-435)**.

Reports **READ**.

Senator **BAILEY** of York moved the Senate **ACCEPT** Report **"A", OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-435)**, 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 in opposition to the report before us. You know, this bill and the report in front of us would prohibit a health plan, excluding those that are high deductible with HSAs, but would prohibit a health plan from imposing any deductible, copayment, coinsurance, or cost sharing requirement at all whatsoever for the cost of abortion services. Whatever individuals feel about abortion services and access to it, I just think it's worth noting that my understanding from the public hearing is that this is somewhat unprecedented. I don't know that we treat any other healthcare service like this, where we have it put in law that there would be no copayment, no deductible, no coinsurance, and we mandate that on insurance providers. I know this is my first term on HCIFS, but it came up in the public hearing and I don't think it was contested that we don't treat anything else like this. For that reason and others, I oppose the motion and encourage you to vote no. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from York, Senator Bailey.

Senator **BAILEY**: Thank you, Mr. President. I would just note that in fact there are lots of healthcare services that we do not allow insurance providers to have any sort of cost sharing. So, this is not the only healthcare service that we would be doing that for. Thank you.

THE PRESIDENT: The Chair recognizes the Senator from Aroostook, Senator Stewart.

Senator **STEWART**: Thank you, Mr. President. I'd like to pose a question through the Chair.

THE PRESIDENT: The Senator may proceed.

Senator **STEWART**: Thank you, Mr. President. To the good Senator from, I believe it's York County, to her last statement, what are the examples of no - or non-deductible, I guess, medical procedures that you just referenced? Thank you.

THE PRESIDENT: The Senator from Aroostook, Senator Stewart, has posed a question through the Chair to anyone who may answer. The pending question before the Senate is Acceptance of Report "A", Ought to Pass as Amended by Committee Amendment "A" (H-435). 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 (#410)

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 **BAILEY** of York to **ACCEPT** Report **"A", OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-435)**, in concurrence, **PREVAILED**.

Bill **READ ONCE**.

Committee Amendment "A" (H-435) **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-435)**, in concurrence.

Divided Report

Eight members of the Committee on **JUDICIARY** on Bill "An Act to Prevent Coerced Abortion"

H.P. 757 L.D. 1197

Reported in Report **"A"** 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

Three members of the same Committee on the same subject reported in Report **"B"** that the same **Ought to Pass as Amended by Committee Amendment "A" (H-465)**.

Signed:

Senator:
BRAKEY of Androscoggin

Representatives:
ANDREWS of Paris
POIRIER of Skowhegan

Two members of the same Committee on the same subject reported in Report **"C"** that the same **Ought to Pass as Amended by Committee Amendment "B" (H-466)**.

Signed:

Representatives:
HAGGAN of Hampden
HENDERSON of Rumford

(Representative DANA of the Passamaquoddy Tribe - of the House - supports Report **"C", Ought To Pass as Amended by Committee Amendment "B" (H-466)**.)

Comes from the House with Report **"A", OUGHT NOT TO PASS**, **READ** and **ACCEPTED**.

Reports **READ**.

Senator **CARNEY** of Cumberland moved the Senate **ACCEPT** Report **"A", OUGHT NOT TO PASS**, 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 in opposition to the pending motion. This bill was brought to us by the sponsor from the other Chamber with the intent of simply making sure that those who are seeking an abortion have access and the ability to be fully informed about their rights. In particular, I know it's been discussed in this Chamber previously on different legislation, the right to change your mind and to withdraw consent, but also that we heard examples of individuals who were threatened that if they didn't get an abortion, they could lose their job or they could be kicked out of their housing situation. We heard examples of those - of that happening, and that's against the law. The law protects you. You cannot be - you cannot be kicked out of your housing situation, you cannot be fired from your job under the law for not getting an abortion. And so, the bill sponsor's intent was just to make sure that people, as they're making this decision for themselves, that they have the opportunity to be fully informed about their rights as they're making that choice. Now, I will say I do think that, in the underlying bill, there were some concerns about enforceability and how you'd do that, exactly. The underlying bill required that this be communicated in writing and orally and I do think that there are some - I mean, how do you enforce that and make sure that someone's healthcare provider has had an oral conversation with someone. But I think what a lot of the - those who voted for this bill, and it's reflected in alternate reports that we could be voting on, settled on a very simple idea, which is just like when you go into any workplace and you have the Department of Labor posters there, what are your rights as an employee, what was settled on was just the idea of let's have the Maine Human Rights Commission just develop a poster that will be required to be posted in a visible place where abortions are performed, where anyone - a patient has the opportunity to see it posted on the wall, here are your rights as a pregnant person. You can't be coerced, you have the right to change your mind, and just informing people of their rights. A very simple idea, literally just putting a poster up so that people know what their rights are. We've done this in other places, we do this in the workplace, we're just asking to do this in abortion clinics so that people know their rights. That's the primary thrust of what we could be doing with an alternate report. Thank you.