MAINE STATE LEGISLATURE

The following document is provided by the

LAW AND LEGISLATIVE DIGITAL LIBRARY

at the Maine State Law and Legislative Reference Library

http://legislature.maine.gov/lawlib



Reproduced from electronic originals

(may include minor formatting differences from printed original)

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

An Act to Improve Maine's Reproductive Privacy Laws
(H.P. 1044) (L.D. 1619)
(C. "A" H-700)

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

On motion of Representative FAULKINGHAM of Winter Harbor, 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 Hodgdon, Representative Quint.

Representative **QUINT**: Thank you, Madam Speaker. I am opposed to the pending motion.

Madam Speaker, my Fellow Representatives and friends, I rise to speak with words too inadequate to express my feelings regarding 1619. This bill is so extreme that the mere thought of it being enacted crushes my very soul. How many of us in this Chamber know people who have given birth to premature infants or who have had them ourselves? Think of these precious ones and their struggle to survive. Each new milestone reached a victory. Many of us have celebrated their miraculous lives. This bill allows babies at this age group of viability to be killed. I repeat; to be killed at any time, for any reason. Truly, for no reason at all.

I am torn apart over this and I am undone. My mind wanders back to my childhood, back to when my baby sister was born prematurely. My sister survived and truly cheated death and its sting. Another baby born at the same day had a much different outcome. But this child's birth and death impacted my life forever. You see, this dear child was born without a full brain and would only live for a few hours after delivery. The nursing staff stuffed a bonnet and placed it on this baby's head. I witnessed a mother loving her dying child as she rocked, kissed and held her little one, cherished as it slipped from this life into the next. As an 11-year-old girl, I marveled at her unwavering strength and love.

Madam Speaker, allow me to take you back to my bill asking for a second opinion to be offered when an abortion has been discussed between a doctor and his patient. Remember my anguish at being given devastating news and being told that terminating my pregnancy would be the best option for myself, my husband and my child. Perhaps, Madam Speaker, for myself and my husband, but certainly not for my child if I had believed differently. Instead, I remembered that awe-inspiring woman who allowed her child to experience life, however brief, however painful, but most of all allowed her child to experience a mother's love, cradling and nurturing until the very end. I thought about the future. For me, there was no option. No one is guaranteed perfection. I could've had a normal pregnancy and delivery. I could've given birth to the most perfect child and had an automobile accident on the way home that could have rendered him to be as disabled as they were saying my son could be at birth. The difference would be one day. Would I not fight for his life for him to have a chance, every chance? The value of a human life defined by one day or one breath. Madam Speaker, you have seen my son walking these very halls. Each day, I know how blessed I am and I cherish every second because I get to know what I would've missed had I chosen a different path. Madam Speaker, Members of the House, I beg of you take heed. This bill goes too far. Please allow our most vulnerable ones the chance of survival. Vote against enactment and remember what a difference just one day can make.

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

Representative **SAMPSON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. You know, sometimes as debates unfold in this Chamber, testimonials with informative nuggets of information can slip by all of us. So, I'd like to just highlight one from the other night. The Good Representative and doctor from Windham gave this testimony about her friend, David, who was an OB/GYN doctor and she asked him the question, did you ever have a patient who learned late in the pregnancy that the fetus had anencephaly, which is no brain. And the response was, I was involved peripherally over the years with perhaps a half a dozen cases of third-trimester lethal anomalies at Maine Medical Center, either anencephaly; those babies with no brain; or renal agenesis; that means the kidneys 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 and 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 are not called abortions *per se* but 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; a child with 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.

Now, this doctor's statement totally agrees with the opinion by our Attorney General on this same issue and this was a standing opinion up until 40 days ago. And it stated Maine Law also provides exceptions to the viability restriction to save the life or health of the pregnant person or in the case of a fatal fetal diagnosis. So, I ask this question in this Chamber for us all to consider, what is the moral of this story? Essentially, what we are talking about with this particular bill is already taking place now. This bill is not necessary. So, I would ask that we consider that or consider why are we pushing this if not for power, politics and Planned Parenthood, maybe? Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Palermo, Representative Smith.

Representative **SMITH**: Thank you, Madam Speaker. Madam Speaker and Members of the House, honestly, I'd rather not be standing before you. I am a Maine woman with a Norwegian father and we are not generally share-your-life kind of people. But it is this important that I stand here today. I stand here in opposition to 1619, not because I have this general feeling that it's bad to foster a culture of death but because I know the potentially horrible consequences that fostering a culture of death and blind trust in physicians can bring. If I believed in the omnipotence of doctors and their ability to correctly diagnose what will happen to a baby in the womb, my daughter, Emma Ruth, would be dead. My mini-me would not exist. Her talent as a seamstress, her amazing knitting patterns and ability to comprehend large mathematical equations would not grace this world. If my daughter's husband, Ben, had a mother who believed in the infallibility of doctors, he would not even be a vapor. A brilliant mind who just secured his first job at a fancy company with top security clearance, he would not be amongst us.

When I was pregnant with Emma, my first, I had a pain. It was a very sharp pain, I'll give you that, but there was no bleeding, no other indications of distress. I went to the doctor's as so many first-time mothers do when they are concerned and this is what my doctor said; your child will not be viable. We need to schedule an abortion tomorrow because the child in your womb is nothing, not a child, just a clump of cells. No tests. Not one test and he told me my child would not live. I walked away from that doctor feeling greatly unsettled but thinking, why is there a need to rush? Emma was born on August 28, 2000 and she is the apple of my eye. Years later, I posted about the situation and you know the shocking part; multiple women reiterated my story of the same doctor who tried to extinguish their children. Was he deluded? A bad doctor? Had he embraced the culture of death so much that he didn't even care?

My son-in-law's story was much more dramatic, as his mother was 27 weeks along when a military hospital told his parents he would be born with multiple heart problems, probably fatal, that he would not live outside the womb. Abort, abort, abort, they told his parents. His parents demanded a move to a different hospital and, as I mentioned, Ben survived. Ben married my daughter, someday Ben will be the father of my grandchildren.

Madam Speaker and Members of the House, doctors are fallible. They make mistakes. And with the ability to abort a baby up to moments before birth, the mistakes they make and the pressure they put on women to abort what they deem unviable will take souls away from our lives. Daughters, sons, eventually husbands and wives, mothers and fathers. I ask you to stand on the side of life. Let the Emmas and the Bens be born. Let them find each other, fall in love and marry. Let our children live. Please vote no on LD 1619.

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

Representative **WHITE**: Thank you, Madam Speaker, and Men and Women of the House. I knew my opposition to LD 1619 would not be popular with some. In fact, slander and intimidation has already begun. To me, this isn't about winning the next election, it's about upholding the dignity and rights of the human person. One doesn't have to search too far back into history to find examples when certain parts of the human family were deemed not fully human and undeserving of equal protection under the law. In recent decades, pre-born children were those being denied full humanity and equal protection.

We have one last chance to clarify the intent of the bill, LD 1619, and to specify the exact cases being put forward as needing legislative intervention. Those who are opposed to LD 1619 are caring and compassionate and want to support a mother who receives a fatal fetal diagnosis but cannot support the bill as written with its vague language. The vagueness puts at risk the lives of late-term, healthy, pre-born children. If that is not the intent of LD 1619, then we should vote this bill down and come back with a better bill.

Last week, I attended the funeral of a friend. In the eulogy from his grandson who he shared the following quote by Martin Luther King. I'm sure many of you have heard this; the ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy. I stand for dignity, for the dignity and human rights of all. Please vote no on the pending motion. Thank you, Madam Speaker.

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

Representative **UNDERWOOD**: Thank you, Madam Speaker. I'm Catholic and I'm pro-life and I aim to show my faith and if there's anybody on the other side; vote your conscience as Catholic. Thank you, Madam Speaker.

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

Representative **LANIGAN**: Thank you, Madam Speaker. I rise today in opposition to this bill and as a man, it's kind of really not my place to probably be even talking about this bill today. I mentioned before that I am pro-choice and, unfortunately, I feel that this bill is too extreme. It's one of the most extreme abortion bills that will be enacted in Law for a state in the entire United States and I don't know why Maine feels the necessity to be that State. It seems that we are putting a lot of effort into a situation that we already had a great law for some on the books and for many others, they would probably like to see more restriction, Madam Speaker.

We had a lot of testimony come before us, before the Judiciary Committee, and a couple of them popped out to me and though I'm not a very overly-religious man, I just felt that I should share a couple of these. I mean, we kind of limited their speech on the Committee hearing, so, if you would just indulge me for a couple minutes, I'd like to just read a couple of them, just to make sure that their voices are being heard as our voice here in the House is to represent them.

Thank you to the Committee on Judiciary. My name is; I'll leave the names out; I reside in Augusta. I am here to voice my opposition to LD 1619. In the name of the Father, the Son, and the Holy Spirit, amen. God does exist whether you believe he does or not. The passage of LD 1619 will lead you and all of us down the wrong path.

Now, you'll see a lot of testimonies here that will quote their religion. You will find a lot of testimony that will point to their beliefs and as I read these, I just want you to understand is we need to respect that. No matter how we feel. It might not be the way that when we leave this Chamber, we practice our own lives. So, I hope I'm not offending anyone, Madam Speaker, when I read these and, you know, if I step out of line, please correct me. Thank you.

I'm going to move on to another one. As a pastor, I've been tasked with the privilege and responsibility of directing and caring for people of all ages and walks of life. Part of this care involves endeavoring into the human condition of life and the basis for morality. Questions such as what is life, when does life begin and what is the ultimate basis for morality go beyond the scope of this testimony but how one answers these questions will affect their view on this bill. We all care about liberty and life. The disagreement sparking debate is a point where these two human rights clash. What is not debatable is the objective. Incontrovertible fact that LD 1619 would create even more allowances for harm, hinderance and destruction of human life, a pre-born baby. Murder is a crime, unlawfully and unjustifiably killing a person. None of us in this room would approve a law excusing the discriminate killing of adolescents, then suddenly accept a law as inherently lawful and right if it were to be passed by legislation. Yet this is what this Legislature is attempting to do here; permit the murder of pre-born babies and remove any accompanying criminal penalties. My wife and I lost our first daughter at almost 22 weeks of gestation. She was perfectly healthy but died from uncorrectable medical conditions and complications. We listened to Crystal's; Crystal was the name of their baby; heart beat slow and then felt the blast of the silence when it stopped. The next day, we held her in our arms. To say

she wasn't a uniquely human life is a denial of reality and an affront to every mother or couple who has experienced the real heartache of miscarriage, fatal complications from pre-term labor and stillbirth. I understand that you have your constituents, but I ask you to consider the door LD 1619 opens in our State. It may appear to open into a brave new world of absolute moral autonomy, a utopia where all people can do with their own bodies as they please, but this law's wording would also create a chilling precedent for moral autonomy. All people could do with their own bodies as they please with regard for other viable humans. Please deeply consider this bill's implications before swinging wide a door that, once opened, will not be easily shut. I pray you do what's morally right in the sight of one true God who will we all stand before one day, either clothed, covered by Christ's righteousness, or naked, fully exposed in our own sin and shame. You all remain in my prayers, by my name, and I'll leave that.

Another one I have here is; I have a Maine citizen. I oppose this bill that allows the unfettered killing of viable babies in the womb. As I was contemplating what I would say at this hearing today, it occurred to me, it is worth the time to speak on behalf of the 10s of thousands of Maine babies who have had their lives taken from them even before they were allowed to breathe the air or see the sunshine or even smell the fragrances of the Maine coastal waters or the pristine forests. Have all these Representatives made up their minds? Or perhaps one or two or 10 will be willing to listen.

I think if you read through this, I think all of us; I'm not allowed to show the book but I think we all got the book with all these testimonies in them and I think what it speaks to is, is that the opposition to this bill was a lot greater than the support. And as a Representative, I feel like we're leaving those voices of non-support out at the door.

I'm going to wrap this up for you, Madam Speaker. When I ran for office, I was asked this question a lot on the campaign trail and I'm just going to lay it all out here. I promised many constituents if anyone brought a bill before this floor to restrict the laws already on the books, I wouldn't be supporting it. But I also promised that I was not looking to expand it, either. I need to stay true to my word that I promised my constituents when I ran and doing the research and how far we've come as a country and how far we've brought women's rights, I feel this is a step backwards about 50 years and it puts us in a dangerous, slippery slope. The language in this bill is very vague, it does not get specific enough and, like the Great Representative from Waterville, I think we need to slow down. If we really want a bill that's really going to work, there's been Amendments proposed here on the floor that I might even support. But without those, I am a definite no and today I thank you, Madam Speaker, for allowing me to share those thoughts.

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

Representative **BOYER**: Thank you, Madam Speaker. Madam Speaker, I rise again to say that this issue, additionally, is more nuanced than either side of the aisle would like to say or admit, Madam Speaker. And I ran as a pro-choice Republican, which puts me at odds with most of my party; it's not the only issue, but that's okay. I think I came down on the pro-choice side because I truly believe, Madam Speaker, that we do own our own bodies; on this issue and on other issues, Madam Speaker. The Good Representative from Fort Kent said the other day and the Representative from Sanford just said, there's Republicans willing to support a narrowly-tailored bill that would prevent these stories that we heard when it comes to fatal fetal abnormalities and it's just really frustrating for, I guess, some of these folks in the middle, if you will, to see that every effort of compromise has been rejected, that this bill is the way it has to go down and, you know, the Amendment with the language around standard of care just does not provide sufficient safeguards and I think the narrowly-tailored amendments that have been submitted do a better job of weighing these things. So, I guess it's just a last-minute plea towards the middle, towards compromise and to have a bill that can address the heartbreak that these families have dealt with while still respecting the sanctity of life. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Plymouth, Representative Costain.

Representative **COSTAIN**: Madam Speaker, Members of the House, I feel the following need to be said. As we sit here tonight and get ready to vote on this bill, I wanted to remind each and every one of us that there will be a Judgment Day someday and each and every one of us will be accountable for our actions. Thank you, Madam Speaker.

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

Representative **LIBBY**: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, we have heard comments, whether it be in testimony or us hearing from constituents and others, that there are physicians in our State, including in this Body, that support this bill. However, having heard or read most of the testimony in this book in front of me, I know that there are also physicians who are adamantly opposed. I've also had physicians reach out to me directly, knowing I was involved with fighting against this bill, who wanted to have their voices heard but had not known in time to testify.

One of these is Debra Sepulveda, MD, MPH. As a board-certified obstetrician-gynecologist with over 30 years of experience, I am writing to oppose LD 1619. The standard of care Amendment does not provide guardrails as argued by the proponents of the bill. No standard of care has been defined for late-term abortions. This Amendment adds no restrictions and it leaves indications no more narrowly defined than in the original form of the bill. Abortion at any gestation available electively at the discretion of the physician. I urge you to vote no on LD 1619.

I heard from another, Dr. Pauline Mills, MD. She said; I am a pediatrician and have practiced for more than 13 years, the last seven of which have been in Maine. Also, since becoming a U.S. citizen more than 20 years ago, I have always voted Democrat because I feel that the Democratic party supports my personal views to provide support to the needy, the sick and the poor. I have also supported a woman's right to choose, at least to the point of fetal viability. But I am alarmed at the most recent bill to expand access to abortions in Maine to include fetuses beyond 24 weeks. As a pediatrician, earlier in my career, my job was to attend high-risk deliveries and provide pediatric expertise to the delivery team. Also, a significant part of my pediatric residency was working within the neonatal intensive care unit, assisting in the care of very sick and premature babies. During that experience, I saw firsthand how babies as early as 24- and 25-weeks' gestation fought for life. My understanding about the current bill being proposed in Maine is to allow abortions beyond 24 weeks of gestation if it is deemed medically necessary; she's wrong on that note, only deemed necessary in the bill, not medically necessary; my fear as a pediatrician is that this vague definition will be abused. I can understand allowing the termination of a pregnancy beyond 24 weeks if the fetus is not viable, i.e. has a lethal genetic condition or a medical problem that is incompatible with life. And as we've heard from the Good Representative from Windham and her correspondence and have been reminded tonight by the Good

Representative from Alfred, that is already currently law and happening here in Maine. My fear is that the law will be abused to allow for abortions for less clear medical necessities such as the benefit of the mental or physical health of the mother. Now, wait, did I, as a physician, just say that the mental or physical health of the mother should not be taken into consideration? No. But let me explain. The gut reaction is to say that if a woman's health is in danger, she should be allowed to abort. This sounds reasonable, right, Madam Speaker? But as a physician and a pediatrician, I cannot think of a reason even in those circumstances why the baby cannot be delivered alive and given a chance at life rather than actively killing the baby. It takes time to abort a fetus and that fetus still has to be delivered. It takes longer to perform an abortion and then deliver the baby than it does to perform an emergency C-section, so even in circumstances where you are trying to save the mother's life, the time taken to kill the fetus could've been spent delivering the baby alive. Dr. Pauline Mills.

The one that was most compelling to me, Madam Speaker, was by Dr. Anthony Levatino, MD, JD. I am a board-certified obstetrician-gynecologist currently licensed in New Mexico and Arizona with over 40 years of practice and teaching experience. I received my medical degree from Albany Medical School in Albany, New York, in 1976. I completed a four-year residency in obstetrics and gynecology in 1980 and I became board-certified in 1982. In the course of my residency training and over several years of clinical practice, I performed over 1,200 first- and second-trimester abortions. I currently serve on the faculty of Burrell College of Osteopathic Medicine as a professor of clinical medicine. I have read HP 1044, LD 1619 in its entirety. It is my professional opinion as both a physician and an attorney that HP 1044 does not serve the citizens of Maine well, simply stating that the professional judgment of a licensed physician is inadequate to ensure the safety of patients seeking abortions in the State of Maine. In my practice of abortions in New York, my partners and I were faced with a hospital whose governing board ruled that only medically-necessary abortions would be performed at the hospital. Undeterred, we simply wrote on every medical record that in our professional judgment, the abortion was medically necessary and then we proceeded. Problem solved. The same could easily happen in Maine.

Madam Speaker, we've heard tonight and last week that the existing standard of care allows for the early induced labor and delivery of a baby with a fatal diagnosis. It allows women to choose early delivery or deliver at full term, but it does not involve a lethal injection. Madam Speaker, over the last year or so, we've heard the word extreme used so many times that I think it's started to lose its meaning. So, let's rewind to campaign season 2022. Millions of dollars were spent attacking the folks on this side of the aisle, insisting that we were extremists who were going to take away women's rights, that we're going to put forward bills to outlaw abortion in Maine. There were ads in print, on YouTube, on social media. I remember my husband telling me about an ad, and I saw the same ad, a woman in a canoe, rowing down the river with her daughter, supporting one candidate. And then watching another show, he saw the same ad supporting a different candidate. Saying that we were extremists, lying to Maine people, saying that we would vote away abortion as though that were in any way a political reality here in Maine. We heard from the current Chief Executive that she would not expand abortion. In fact, our previous Chief Executive in eight years didn't put forward a bill to restrict abortion in Maine. Lies, Madam Speaker. Lies spoken to Maine people in order to encourage them to vote out of fear.

Since then, it has become abundantly clear that we are not the extremists, Madam Speaker. We are not the party that has proposed extreme legislation. LD 1619 is the most extreme bill we've seen this Session, maybe this decade. Let's talk about what's extreme. Supporting LD 1619 is extreme. Saying that it's okay to kill a viable baby is extreme. Ignoring the clear will of Maine people is extreme. Madam Speaker, opposing late-term abortion isn't extreme, LD 1619 is. The hundreds of people that have been filling our gallery and our hallways, they have been here, making us run the gauntlet to get to the Chamber, because of how extreme this bill is. Maine people can put up with a lot, Madam Speaker, and they do, because they just want to live their lives and be left alone. But LD 1619, Madam Speaker, goes too far. It's time to kill this bill, Madam Speaker. What are we doing here in this House, the Peoples House, if it is not to listen to the people and do their will? Why are we here, Madam Speaker?

If I rewind to 2020, I ran because I didn't feel that my voice was being heard. In the 129th Legislature, I reached out to my Representative and my Senator for the first time and my voice was ignored. So, I ran because I wanted to make sure that my district's voice was heard here in Augusta. And I'll tell you, Madam Speaker, I vote against my party with regularity, when I believe it is in the best interests of my district and our State. Earlier this Session, *Bangor Daily News* called me an "againster" in relation to being both against Mills and my own party. And I'll tell you what, Madam Speaker, I take that as an extraordinary compliment because it means that I vote on the policy and not the party. The Good Representative from Waterville spoke the other night about voting our conscience, then our district and then our party. Nowhere on that list do I hear Planned Parenthood dictates, Madam Speaker. Let's listen to the people of Maine and vote against the pending motion.

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, it's so tragic that this unnecessary bill was sent to our House and pits us against each other so bitterly. It could stir hatred between us, but my mother and father taught me that the word hate is like a swear word and it has no place in my life. It would be incredibly hypocritical of me to say that I care about premature babies and their mothers who I don't even know, but to be hateful to those of you across the aisle who I work with every day. So, I hope that my words reflect the care and concern that I truly have for you. An evil man once said that if you repeat a lie often enough, it becomes the truth. You've been misled. The medical ethics code and the applicable standard of care don't prevent healthy babies from being aborted. The medical professionals who perform abortions believe that all abortions, for any reason, are ethical and meet the applicable standard of care. We heard this from multiple professionals who testified in support of the bill, including abortion doctor, Shannon Carr, who specializes in third-trimester abortions. She stated, quote, I am not to judge. Wait a minute, doesn't LD 1619 rely on the doctor's professional judgment? Can you see the disconnect here? In her deposition for a wrongful death lawsuit, she admitted to performing a third-trimester abortion of the healthy baby of a woman who was healthy; that is, the woman was healthy until the abortion killed her. Dr. Shannon Carr was licensed in Maine in spite of aborting healthy babies in the third trimester. The Maine Board of Licensure and Medicine has no rules protecting third-trimester pre-born babies when the intent is to abort them. There's no standard of care to determine when an abortion is necessary. Be curious. Look it up for yourself. Know what you're voting for.

You know, pretty soon, our political careers will be over, our key cards will be deactivated, important people won't return our phone calls, we'll go back to our regular lives and we'll have to live with the decisions that we have made here. If you have the slightest doubt about this bill, simply vote no and the abortion laws that you said were satisfactory during your campaign will continue. You know, there is one thing that I do hate. I hate when my friends are misled and I'm so sorry to have to tell you that you've been misled. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Harrington, Representative Strout.

Representative **STROUT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition of the pending motion but it's probably a little different than the rest of my caucus. I am very my body, my choice, and I believe there's actually good that comes out of Planned Parenthood. When I graduated from the taxpayer-funded system at 18, I had no insurance and Planned Parenthood allowed me to have birth control and physicals that made sure that I was healthy. I think that people have to make really, really tough decisions and you guys don't know me very well. Six months ago, you never even knew my name, but I think you know my son means the world to me and I can't imagine life without him. And today's his birthday. He's 16. And I'm here talking about trying to figure out if babies should live.

I really think it is a person's choice and I think, more importantly, I don't have to be able to know all their choices and that they have to live with decisions that they make for them and their body. I appreciate everything that everybody has said and I'm sorry everybody is going through what they've gone through but for me, I can't support this bill because of the women that fought for their rights in *Roe v. Wade*. They marched and they had the right to have the decisions that they made taken to place and a place that was performed by a doctor, it was safe, it was sterile, they had a chance of living if there were complications. And this bill, in the last section, says finally, this bill removes the criminal penalties for performing an abortion without being licensed as the physician, physician assistant or advanced practice registered nurse. And, to me, that takes away women's rights. It takes away the opportunity for them to make a tough decision that they have to live with and be able to go and have it completed at a place where they're safe, that they possibly can have children again in the future should the time arise and they're ready for that, and I just don't think it's fair to go back and take away those options. Thank you.

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

Representative **DUCHARME**: Thank you, Madam Speaker. I rise in strong opposition to this bill. It's so abhorrent for me that I refuse to use the term, and in my testimony that I submitted, I changed the term to killing a baby as a more accurate term throughout my testimony.

First, the bill title is really a red herring. The bill title is "An Act to Improve Maine's Reproductive Privacy Laws." I spent 20 years in banking, I know what privacy laws are all about. So, I looked up the forms. It changes the reporting from using a United States Standard Report of Induced Termination of Pregnancy to some unnamed report that will be prescribed by the Department at some future date. The report must include certain data but may not include any identifiable factors. For the record, the "United States Standard Report of Induced Termination of Pregnancy" contains all of the required data while maintaining the privacy of the patient. So, it is unclear as to what the improvement will be with respect to reproductive privacy laws.

Maine Law currently allows babies to be killed up to 20 weeks for any reason at all. After 20 weeks and up until 24 weeks, the killing of a baby may only be done to preserve the life or the health of the mother. Despite her statement to the contrary during the campaign, the Chief Executive has proposed a bill that will make Maine one of the most permissive States in the U.S. for the killing of a baby. If LD 1619 passes and is signed by the Chief Executive, Maine will permit the killing of innocent babies right up until birth for any reason. Most medical professionals consider 20 weeks gestation time viability as defined by State Statute. This bill proposes to remove that language, necessary to preserve the life and health of the mother, as the current guardrail for killing babies after 20 weeks.

As a 65-year-old man, I'm told that because it won't affect me, I shouldn't voice my opinion on this subject. Madam Speaker, if I can't stand up and speak for these babies, who will? I have to say that as a Christian, a Catholic, as a father of two, a grandfather of eight with a ninth one on the way, I have an opinion. I believe that there will be a special place in Hell for those who promote or support this behavior. Think about this the next time --

Representative **ROBERTS**: Point of Order.

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

Representative **ROBERTS**: Point of Order, multiple ones, questioning the character.

On **POINT OF ORDER,** Representative ROBERTS of South Berwick objected to the comments of Representative DUCHARME of Madison because he was questioning the motives of other Members of the House.

The SPEAKER: The Chair would remind the Member not to question the motives of other Members in this Chamber or to impugn their character.

The Chair reminded Representative DUCHARME of Madison that it was inappropriate to question the motives of other Members of the House.

The SPEAKER: The Member may proceed.

Representative **DUCHARME**: Thank you. Think about this the next time anybody rails about the kids being murdered in DHHS custody. Think about the 2,000 babies a year killed in Maine using Maine taxpayer dollars. That's five murdered Maine babies a day. Five precious children who no one knows what their lives would produce. Please oppose the motion.

The SPEAKER: The Chair recognizes the Representative from Hampden, Representative Haggan.

Representative **HAGGAN**: Thank you, Madam Speaker, and Members of the House. I'm a little bit shaken on the inside, so I will do it. I'm a teacher of 33 years, as you guys know, because I say it every time I stand up, and I love kids. It's my life. I hang around with them. When my son was born, years and years ago, came out of a gooey, ugly mess and the doctor said, you want to cut the cord? And I've dressed out a lot of deer in my day, I said no, that's okay, you go ahead and do it. And then the nurse said isn't he beautiful? And I said no, God, he's gross, he's disgusting to look at, he's all gooey. But he was mine.

As a teacher, a popular teacher, I'll pat myself on the back, we're allowed 25 kids in the classroom and kids will come and want to take my class. Do you have another chair, Mr. Haggan? You got one more seat for me? I'd love to have your class. I never say no. My record is up to 44 so far. And I'm hoping that, in one way or another, we can kill this enactment so that I can have more kids in my class and I will never say no. Thank you.

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

Representative **KUHN**: Thank you, Madam Speaker, Esteemed Colleagues. I rise in support of the current motion. I wanted to offer some additional information on some assertions that we've heard for Members' consideration. First, we heard that abortions later in pregnancy are already permitted in the case of fatal fetal anomalies. I wanted to clarify that that is not the case. Immediately after the *Dobbs* decision, there was a one-pager up on the website at the Attorney General's office that stated that that was incorrect. It was subsequently taken down and that is why we heard stories of Maine women who traveled out of State to receive this care, because it is not currently permitted in Maine. That is who this bill is attempting to provide an avenue to.

Second, I wanted to address the concern that the bill decriminalizes the unlawful practice of medicine or unlawful abortions. It does not do that. That last paragraph contains a reference to where that is already a crime in the criminal code. It does not decriminalize.

Finally, I just wanted to say something about the standard of care because I know that's been a concern for some of our colleagues and I wanted to clarify. This is a letter from the *Sun Journal* written by Dr. Erik Steele, Yarmouth, President of the Maine Medical Association addressing this topic and he says standards of care do, indeed, exist that are interpretive guidelines developed to assist medical practitioners. Standard of care deviation on a case-by-case basis must be agreed upon by the physician and the patient. Any deviation from commonly-accepted standards should be evidence-based and clearly explained in the patient's medical record or it could result in disciplinary action by State licensing boards under existing Laws and laws made by State legislators, lawsuits or criminal charges. So, I hope that that clarifies for my colleagues that the standard of care is a real thing, it is enforceable and it includes, ultimately, penalties for violation of that standard of care. I support the bill as it is because it provides discretion for providers and patients to make these private decisions together. Thank you, Madam Speaker.

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

Representative **BRADSTREET**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I certainly wasn't planning on speaking on this but sometimes, things just prompt you to do so. When I first ran for office, I had a friend I was meeting with and he kind of feigned to be a reporter and he said Candidate Bradstreet, where do you stand on abortion? And this thing just popped out of my mouth all at once, I don't know where it came from, but I said I'm pro-life, just like your mother was. And we both stood back a little bit and he said wow, you know, you're right. Each one of us here had a mother who gave us life, allowed us to have life, and I'll always stand behind that. I've been against abortion for a long time. Something that cemented it in my mind was when I saw an ultrasound of a baby being aborted and that really disturbed me. But, you know, the way things have been, the status quo, I think we're all willing to let that go. Now, with this bill, regardless of what people may say and assert, that baby now will have a face. It'll have somebody's granddaughter's face, their son's face, so much more than what we think it is.

Madam Speaker, I'm pro-life but I know I'm in a minority. Most people do not agree with me on my view of abortion. As a matter of fact, in yesterday's *Wall Street Journal*, there was a quick reference to a report that nationwide, 69% of people are in favor of abortion during the first trimester. During the second trimester, that reverses, 55% say it should be illegal and only 37% say legal. It didn't refer to the third trimester but I can imagine what that must be. Madam Speaker, as I said before, I'm in the minority, but you know something, everybody who supports this bill is also in the minority because most people in Maine do not like this bill. It is too extreme. Maine people are moderate. They don't want things like this to come before them. And I can't imagine, you know, it's easy for me to vote against this bill. I know I have some friends across the aisle, it's not going to be easy for them to do that. But I would urge them, check your conscience. The way you vote on this will follow you the rest of your life. You'll be recorded the way you vote. Your clear conscience and your liberating conscience will also be with you for the rest of your life. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Plymouth, Representative Costain.

Representative **COSTAIN**: Madam Speaker, I'd like to pose a question through the Chair.

The SPEAKER: The Member may proceed.

Representative **COSTAIN**: I would like to know how we can kill babies at full term but people; and not be charged with murder but people that get in an automobile accident with an OUI, we're charging a mother and a baby, for two murders, if the baby is eight months, seven months old. I'd like to know what the difference is.

The SPEAKER: The Member has posed a question through the Chair to any Member who wishes to respond. The Chair recognizes the Representative from Livermore Falls, Representative Lyman.

Representative **LYMAN**: Thank you, Madam Speaker. I will do my best and if I sit down, forgive me and move on. This message is about embracing life and I would like to introduce this House to my little boy, Kendrick Brett Lyman, who came early, came small and I wouldn't trade the 10 days that I was given with him for anything in the world. I read something that helped me through; We shared your moment, you touched our lives forever. Thank you.

The SPEAKER: The Chair recognizes the Representative from Madawaska, Representative Albert.

Representative **ALBERT**: Madam Speaker and the House of Representatives, I'm not a speaker and I'm not prepared for this but conviction tells me I need to say something. We gather together here daily or whenever the schedule calls. What do we do first? We pray. And we pray to who? This is the God that said when Moses asked who are you, what is your name, and God answered I am who am. Think of that for a second. I am who am. Further on in Scripture; and excuse me, I'm not here to give a scriptural teaching here; but these are all things that I think we live by. We gather together, we pray together here in the House and in our own private churches. Then again further on in Scripture, there's God who I assume everyone knows and I know they do is a God of love, he says before you were born, I knew you. Think of that for a second. I have eight grandkids and three great-grands and they're all precious to us. One more is very precious, it was a miscarriage. And they respected the fetus as much as they gave it a proper burial even at three months. But this is faith. We can make decisions, I suppose, and not take faith into consideration but I don't know how one can do that. I suppose one can, I can't. I am definitely against this bill for matters of my wife says Roger, you need to get to church more often and, man, I have the Livermore faith, and I suspect she's right. But, however, I do stand on my beliefs, I intend to, and I will oppose again this bill. Thank you, Madam Speaker.

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

Representative **HENDERSON**: Thank you, Madam Speaker; well, Madam Governor, Madam Secretary, Madam Chair, all the things that you've been called over the last few weeks. Here we stand again for what probably feels like the bottom of the 12th inning, or at least the fourth round of this. And I really stand before the Body a little troubled with the process and to keep the Good Representative from South Berwick from having to do legislative calisthenics, I'll do my best to stay germane.

The process last week was troubling and a lot of what happens in this House has been troubling to me. But for the sake of the bill itself, I'm mostly concerned with statements that were made today in arguments about LD 1619. First; well, maybe I'll get to that second. We heard this morning a gross inaccuracy that this bill has three profound safeguards and three necessary safeguards. The first safeguard being is that in order to get an abortion, a post-viable abortion, that it has to be at the advice of a licensed medical professional. I would hope that any medical procedure that's deemed legal in the State of Maine would be okay. Second was that a physician has to abide by the standards of care. I would hope that in all medical procedures, a physician has to stand by the standards of care. And in response to disciplinary action being taken if someone does not abide by those standards of care, it's really great that there's malpractice; there's a process for malpractice suits but in the case of post-viable abortions, a child is already dead. If that abortion was done in an improper manner not according to the standards of care, there's already a life that's been lost. This isn't a knee replacement. We're talking about an entire human being. And, finally, the last statement that was made that was probably most concerning was that the recommendations have to be medically necessary. Nowhere in the Amendment does it state or does it preface the word necessary with medically. Meaning it opens it up if a physician deems emotionally necessary, psychologically necessary, financially necessary, as well as physically necessary.

I wish that intent was the only thing that mattered when it came to us writing legislation, but it doesn't. It would make our jobs a whole lot easier. I know at this point in the Session, a lot of us are feeling pretty beat up, maybe some more than others. But part of that is because intent matters but that's not always the outcome. The outcome of this bill, although potentially well-intended; I would say the Amendment is probably more well-intended than the bill itself; it does not accomplish what it set out to do and that is if children are suffering in the womb, post viable, or post viability, that that pregnancy can be terminated. From what I'm understanding from the argument, that is the intent. Post-viable pregnancy, a suffering child that is not going to live, how can we help end that suffering. That is a very narrow window and yet, we have a huge door that opens up the possibility for full-term, fully-viable, healthy human beings to be terminated. We've heard testimony from women who had pre-viable abortions, young women, 20, 30 years old, who said my abortionist never told me what to expect when that pregnancy tissue came from my body. I did not know that it would have fingers and toes. I did not know it would have a head. I did not know it would be in the shape of a human being. If there's that amount of misinformation being given to these women who are currently having abortions, what are we opening ourselves up to here in the State of Maine?

My spiritual beliefs have no place in this current argument. I am not arguing on when we believe or when I believe life begins. This bill is morally wrong. It does not do what we're being told it does. It does not focus on children with fatal fetal diagnosis. Whatever a medical professional deems necessary and then they just have to do their job right for the standards of care. It seems pretty open to me. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lebanon, Representative Adams.

Representative **ADAMS**: Thank you, Madam Speaker. I rise not today as a Republican or Democrat, I rise as a father and a grandfather. And what I want to do, I know there's cameras here, so, there's been a lot of coverage about this abortion bill, limited at best. What I want to do is I want to read the summary of what the bill says, the last two pages, aloud, and I'm going to do that. And then, bear with me. The bill changes the standard for when an abortion may be performed after viability to when a licensed physician determines that it is necessary instead of when it is necessary to preserve the life and health of the mother. So, we had a couple doctors speak about it and I believe what they said. However, the final line of the summary on this bill says this bill removes criminal penalties for performing an abortion without being licensed as a physician, a physician assistant and advanced practice registered nurse, and for performing an abortion after viability of the fetus when it is not necessary for preservation of life or health of the mother. So, I believe that doctors wouldn't do that but this removes all liability from anybody to do it. That's what this says. This amounts to nothing more than what they used to call alleyway abortions.

So, with that said, I think it's important to understand the name of the bill, like the Good Representative said, this is a red herring. This bill should be called nothing more than the baby purge because that's exactly what it is. It allows anybody to get a full-term abortion or perform a full-term abortion without even being licensed and without any criminal penalties. I think it's wrong. I mean, it's common sense and that's silly. So, I'm going to vote against this and I hope everybody votes against this and actually reads the fine lines on this. There's an old saying, the devil's in the details, and you really need to look at them details. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Carmel, Representative Thorne.

Representative **THORNE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Madam Speaker, our Father which art in heaven, hallowed be Thy name. Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread and forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation but deliver us from evil. Amen. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Greenbush, Representative Carmichael.

Representative **CARMICHAEL**: Thank you, Madam Speaker, Men and Women of the House. It has been my privilege to pray in front of this Body twice this Session and it was a privilege and the thing I ask for most of all when I prayed was wisdom. Wisdom for this Body. I had a prayer session every day before session, we met and we prayed, people from both sides of the aisle come and the one thing I prayed for then was wisdom for this Body. I don't pretend to have the words to say to change anybody's mind because this isn't really a decision you're going to make with your mind, this is a decision we'll each make with our heart and I just ask each one before you make that decision to search your heart and make sure it's one that you can live with. Thank you, Madam Speaker.

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

Representative **BAGSHAW**: Thank you, Madam Speaker. When I was running, like the Good Representative from Auburn mentioned, I was attacked repeatedly with things that were not true. They had commercials about me with a canoe that I was going to singlehandedly end abortion in the State of Maine, and I had no intention of changing our very strong abortion law. It was very upsetting, very upsetting, but what is even more upsetting is what we're about to do. It's horrific to me. So, I would ask you to dig down deep and if you oppose this bill at all, please have some courage to vote no. Thank you.

The SPEAKER: The Chair recognizes the Representative from Orrington, Representative Campbell.

Representative **CAMPBELL**: Thank you, Madam Speaker, and Ladies and Gentlemen of the House. I rise this evening to talk about life and death.

You met some of my family the other day. Chad, with his two sons, who's 46, and Connor, one of; two of my twin sons, who's 35, and they had their sons. When our oldest was growing up, my wife was driven to have more children. So, it wasn't going well so we heard of this relatively new program at Yale-New Haven, *in vitro* fertilization. So, we went, mastered all the requirements, and three eggs were fertilized. At that time, all fertilized had to be reinserted. So, we watched those cells develop; two, four, eight, 16; and were very excited about triplets. Wow, three at once. We got close to midway in the pregnancy and about 15 weeks, my wife found that she probably couldn't carry them to term. So, we did all we could. She was on the sofa for two, three, four weeks, bought a hospital bed so she could find a way to come to term. Well, it wasn't to be. At 19 weeks, she delivered three beautiful boys. Those beautiful boys lived in her hands until they died.

So, when I came to the Legislature, we had eight abortion bills and I told this story and then I recalled it to her and I talked about how they died in her hands. But she said you forgot one thing. In order to have died, they had to live. That was 19 weeks. We went on to *in vitro* fertilization at Yale-New Haven four more times and the result of the fifth time walked down this aisle the other day. That was 19 weeks. Abortion until birth is just not right. It's not acceptable for the people of Maine and it's not acceptable to God. Thank you, Madam Speaker.

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

Representative **LEMELIN**: Thank you, Madam Speaker. I did everything I could to sit on my hands. I really did. But I can't. I have a young man, my son, who was born with special needs and everybody wanted him aborted. I cannot imagine my life, the last 27 years, without him. He has changed more peoples' lives than I could ever do in a hundred years.

This bill is not about protecting the baby from pain or a baby being born without a brain. This is not about helping a suffering baby in the womb. This particular bill is not about a woman's right to choose; my baby, my choice. This bill is not about this being the choice between a doctor and a woman. And this bill is surely not about health care. These statements are called self-justification. Planned Parenthood and other organizations since 1961 has been using these terms and many others to convince all the people how to self-justify voting yes on abortion. What this bill really is about are two things. One, this bill is about blood money for Planned Parenthood. The second thing, this bill is about the ability to have unlimited sex and have a way out if things just don't turn out the way you want it.

What I would like is for this bill to be tabled and then I ask all my friends across the aisle, very nicely, go home; it's a very simple request and if you do this request and then you come back here and you vote yes, I'll be fine with it, 100% fine. And that request is that you go home and you watch one video. One video, that's all. And that video will be an ultrasound-assisted abortion. I want you to watch as the practitioner puts the ultrasound wand on the baby, on the mother's tummy, and you see this thing that many people across the aisle have told me, A; is not a baby and, two; we're saving babies from suffering in the womb. That's what I was told. Well, I want you to see this baby in the womb. It has a head, it has arms, fingers, toes, feet. It's alive. Now, in an ultrasound-assisted abortion, you get to see this thing that a lot of people don't want to call a baby kicking, screaming, crying, fighting for its life as the doctor rips the first leg off it, then the second leg, then the arms; and the baby's still alive, you can see its face, kicking and screaming, fighting for its life. But you want to save the baby in the womb from pain? Are we serious here? Watch an ultrasound-assisted abortion. Watch the pain and suffering that that child goes through so that you can have a way out and call it health care. Call it a choice. I'm here --

Representative **SALISBURY**: Point of Order.

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

Representative **SALISBURY**: Thank you, Madam Speaker. I would like to have you remind the speaker to speak directly to you and not to other Members.

On **POINT OF ORDER,** Representative SALISBURY of Westbrook asked the Chair to remind Representative LEMELIN of Chelsea to address the Speaker and not turn to the rest of the House.

The SPEAKER: The Chair would remind the Member to direct their comments to the Speaker, to the Chair.

The Chair reminded Representative LEMELIN of Chelsea to address his comments toward the Speaker.

The SPEAKER: The Member may proceed.

Representative **LEMELIN**: Thank you, Madam Speaker. I thought I was talking to you. I apologize, Madam Speaker. I should've waited till you got off the phone.

The SPEAKER: The Member will defer. The Chair would remind the Member that this is not a back-and-forth on whether or not I am on the phone or I'm drinking water or I'm still at this rostrum. The Member directs comments directly to the Chair. And if you'd like to have a discussion about it, I can put the House at ease and we can do that. The Member may proceed.

Representative **LEMELIN**: Thank you, Madam Speaker. So, Madam Speaker, I would like for you to please watch an ultrasound-assisted abortion and I would like for you, please, to not call that health care. Please don't sit there and say to me that you care about the pain the baby is having in the womb or that the baby's going to be born without a brain, when it's okay in your mind that a baby's legs and arms are ripped off their body while the baby is kicking and screaming and pleading for its life, begging you to not do this. Thank you, Madam Speaker.

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 listening to the whole thing today and I know there's a lot of emotions and I've dealt with a lot of emotions in my time as a law enforcement. And this bill, it seemed like it was about choice and, you know, as a law enforcement officer, when we see there's a situation and we're trying to save a life, we don't have

a choice; we have to serve and protect. That's our job. And as a parent, I felt the same way. And this is all I'm asking is to be that person to serve and protect. Thank you, Madam Speaker.

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.

The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham, and inquires as to why he rises.

Representative **FAULKINGHAM**: Madam Speaker, I object to suspending House Rule 501, doing business beyond 9 p.m.

The SPEAKER: The Chair would direct the Member to House Rule 401, part 12, which allows Members 30 minutes to vote and we are in the middle of a Roll Call.

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

Representative **FAULKINGHAM**: Madam Speaker, House Rule 401 part 12 says a call for the yeas and nays must close no more than 30 minutes after the Roll Call is commenced.

The SPEAKER: The Chair would answer in the affirmative. The Member has 15 seconds to vote.

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. 345

YEA - Ankeles, Arford, Bell, Boyle, Brennan, Cloutier, Cluchey, Copeland, Crafts, Craven, Crockett, Dhalac, 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, 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, Costain, Cray, Cyrway, Davis, Dill, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lajoie, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, O'Connell, Paul, Perkins, Perry J, Poirier, Polewarczyk, Pomerleau, Quint, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White B, White J, Wood, Woodsome.

ABSENT - Abdi, Collamore, Collings, Drinkwater, Gifford, Parry, Perry A, Riseman, Rudnicki.

Yes, 73; No, 69; Absent, 9; Vacant, 0; Excused, 0.

73 having voted in the affirmative and 69 voted in the negative, with 9 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**.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act Regarding Criminal Background Checks for the Sale, Transfer or Exchange of Firearms"

(H.P. 109) (L.D. 168)

Report "A" (6) **OUGHT TO PASS AS AMENDED** of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-623) AS AMENDED BY HOUSE AMENDMENT "A" (H-664)** thereto in the House on June 26, 2023.

Came from the Senate with Report "B" (6) **OUGHT NOT TO PASS** of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** in **NON-CONCURRENCE**.

Speaker TALBOT ROSS of Portland moved that the House **INSIST**.

Representative FAULKINGHAM of Winter Harbor moved that the House **RECEDE AND CONCUR**.

Representative TERRY of Gorham **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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 Recede and Concur. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 346

YEA - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Cyrway, Davis, Ducharme, Dunphy, Faulkingham, Fay, Foster, Fredericks, Galletta, Greenwood, Griffin, Guerrette, Haggan, Hall, Hasenfus, Henderson, Hepler, Hymes, Jackson, Javner, Lajoie, Landry, Lavigne, Lee, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, 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, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hobbs, Jauch, Kessler, Kuhn, LaRochelle, 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, Collamore, Collings, Costain, Cray, Drinkwater, Gifford, Lanigan, Parry, Perry A, Riseman, Rudnicki.

Yes, 66; No, 73; Absent, 12; Vacant, 0; Excused, 0.

66 having voted in the affirmative and 73 voted in the negative, with 12 being absent, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

Subsequently, the House voted to **INSIST**.
