MAINE STATE LEGISLATURE

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Legislative Record

House of Representatives

One Hundred and Thirty-First Legislature

State of Maine

Daily Edition

First Special Session

Beginning April 5, 2023

Beginning with Page H-277

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ANDREWS of Paris

HAGGAN of Hampden

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-26)** Report.

READ.

Representative MOONEN of Portland moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Moonen.

Representative **MOONEN**: Thank you, Madam Speaker. Just a quick sharing of what this bill does. It provides funding for guardians ad litem in family matters cases including matters of divorce, parental rights and guardianship, those types of cases. The bipartisan majority on this bill felt that this was certainly a worthy cause to provide this sort of support for families and children in crisis and that it was at least worthy of sending to the Appropriations Table and see what happens from there. Thank you, Madam Speaker.

Subsequently, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-26)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-26)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass** on Bill "An Act to Provide Electronic Access to Confidential Juror Information" (EMERGENCY)

(H.P. 213) (L.D. 339)

Signed:

Senators:

CARNEY of Cumberland

BAILEY of York

Representatives:

MOONEN of Portland

HENDERSON of Rumford

KUHN of Falmouth

LEE of Auburn

POIRIER of Skowhegan

RECKITT of South Portland

SHEEHAN of Biddeford

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ANDREWS of Paris

HAGGAN of Hampden

MORIARTY of Cumberland

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass** Report.

READ.

On motion of Representative MOONEN of Portland, the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass** on Bill "An Act to Update the Maine Human Rights Act with Respect to Gender Identity"

(H.P. 476) (L.D. 707)

Signed:

Senators:

CARNEY of Cumberland

BAILEY of York

Representatives:

MOONEN of Portland

KUHN of Falmouth

LEE of Auburn

MORIARTY of Cumberland

POIRIER of Skowhegan

RECKITT of South Portland

SHEEHAN of Biddeford

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ANDREWS of Paris

HAGGAN of Hampden

HENDERSON of Rumford

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass** Report.

READ.

Representative MOONEN of Portland moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

Representative LEMELIN of Chelsea **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass** Report.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

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

Representative **LEMELIN**: Thank you, Madam Speaker, and Friends in the House. Seven thousand, two hundred twenty-two years ago, God made them both male and female and He joined them in marriage. To this day, when you are born, the doctor says it's a boy or it's a girl. We do not need legislation in any way, shape, or form with respect to gender identity or sexual orientation. Even though this deceptive bill seems to be cleaning up language, it is doing so to serve evil. There is no such thing as sexual orientation as defined today. Today, it is a made-up term. Therefore, in the name of Jesus Christ, I oppose the pending motion.

The SPEAKER: The Chair recognizes the Representative from Albion, Representative Cyrway.

Representative **CYRWAY**: Thank you, Madam Speaker and Ladies and Gentlemen of the House. I just wanted to speak up about when I had to fill out a form for my bio. It was sent to me from the State House and it had a square and it said gender and it had the letter "U". I don't know what "U" stood for, whether it meant unidentified or unisex or what, but I would think it would be kind of odd, me introducing Madam Speaker and unidentified people of the House. I think that we have to be careful about our unintended consequences and we also have to think about when we put a letter "U" it really messes up, we'll just say, for the census. We depend on grants and federal monies on different gender situations and whatever and so, when we start making it all one gender, I'm thinking that we're really doing some things that we're not really thinking about all the consequences that can happen.

I remember coming to the Chief Executive's first inauguration and we had all-gender restrooms and we had men in the urinals and young girls going into the stalls. That was not an intended consequence, by no means. I asked, actually, the District Attorney if she wanted to go in there and she says I'm not going in there. So, I'm just saying so, this is unintended consequences. And so, we have to be very careful when we do these things and so, I cannot vote on this because of the unintended consequences and I hope that you all think about that before you make these decisions because I think that yeah, we all want everybody treated equally, there's no doubt about that, but I just think that we have to be just careful how we go about doing it. Thank you, Madam Speaker.

The SPEAKER: The Chair is pleased to recognize the Representative from Portland, Representative Moonen.

Representative **MOONEN**: Thank you, Madam Speaker. I haven't even heard anything yet in floor debate that has anything to do with the words in this bill so, I thought I would talk to the words in the bill. There's nothing in here about bathrooms, there's nothing in here about gender markers on documents. This bill is simply a definition fix within the Maine Human Rights Act. Under current law, the term sexual orientation includes gender identity within it and I think there's a recognition now, appropriately so, that gender identity and sexual orientation are not the same thing. As a result of that, previous Legislatures created a separate definition for gender identity that exists within the Maine Human Rights Act. It is now defined on its own terms. Passage of this bill will not change that. Failure to pass this bill will not change that. This bill doesn't change anything except taking gender identity out of the definition of sexual orientation since they are not the same thing. Thank you, Madam Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 29

YEA - Abdi, Ankeles, Arford, Bell, Blier, Boyer, Boyle, Brennan, Bridgeo, Carlow, Cloutier, Cluchey, Collamore, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Javner, Kessler, Kuhn, Lajoie, Landry, LaRochelle, Lee, Madigan, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Poirier, Pringle, Rana, Reckitt, Rielly, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Theriault, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Bradstreet, Campbell, Carmichael, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Hall, Henderson, Hymes, Jackson, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Ness, Newman, Nutting, Parry, Paul, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmersal-Burgess, Smith, Soboleski, Strout, Swallow, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Costain, Eaton, Haggan, Lanigan, Lookner, Malon, Montell, Morris, Perkins, Riseman, Roberts, Warren.

Yes, 83; No, 55; Absent, 12; Vacant, 1; Excused, 0.

83 having voted in the affirmative and 55 voted in the negative, 1 vacancy with 12 being absent, and accordingly the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-23)** on Bill "An Act to Provide Support Services for Military Members Transitioning to Civilian Life in Maine"

(H.P. 170) (L.D. 265)

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland
TIMBERLAKE of Androscoggin

Representatives:

SUPICA of Bangor
BOYER of Poland
COLLINGS of Portland
HYMES of Waldo
MALON of Biddeford
MONTELL of Gardiner
RIELLY of Westbrook
RISEMAN of Harrison
RUDNICKI of Fairfield

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Representative:

ANDREWS of Paris

READ.

On motion of Representative SUPICA of Bangor, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-23)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-23)** and sent for concurrence.

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