

MAINE STATE LEGISLATURE

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Senate Legislative Record
One Hundred and Twenty-Eighth Legislature

State of Maine

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beginning at Page 1

HOUSE REPORTS - from the Committee on **JUDICIARY** on Bill "An Act Regarding Parental Rights"

H.P. 335 L.D. 472

Majority - **Ought Not to Pass** (8 members)

Minority - **Ought to Pass as Amended by Committee Amendment "A" (H-441)** (5 members)

Tabled - June 9, 2017, by Senator **KEIM** of Oxford

Pending - motion by same Senator to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report in **NON-CONCURRENCE**

(In House, the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.)

Senator **KEIM** of Oxford requested and received leave of the Senate to withdraw her motion to **ACCEPT** the Minority **OUGHT TO PASS AS AMENDED** Report, in **NON-CONCURRENCE**.

On motion by same Senator, Bill and accompanying papers **COMMITTED** to the Committee on **JUDICIARY**, in **NON-CONCURRENCE**.

Sent down for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/9/17) matter:

An Act To Amend the Direct Initiative Signature Gathering Process

H.P. 917 L.D. 1323
(C "A" H-405)

Tabled - June 9, 2017, by Senator **MASON** of Androscoggin

Pending - **ENACTMENT** in concurrence

(In House, **PASSED TO BE ENACTED**.)

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Cumberland, Senator Chipman.

Senator **CHIPMAN:** Thank you, Mr. President Pro Tem. Men and women of the Senate, I'm not rising to request a roll call vote, but I would like the Legislative Record to reflect a couple of things regarding this bill, some concerns that I and others have about it. The bill does three things. It requires that notaries finish all the notary work in the presence of the circulator. Probably a good idea. Requires they keep they keep a log. That's a good idea. The third part goes down a road that we have not gone down in Maine, and that is getting into the realm of telling folks who are employed at a particular workplace whether they can be involved in notarizing documents at the workplace. I know banks do this all the time and other employers have notaries within the workplace that notarize documents on a regular basis and documents that are regarding transactions that the business is involved in. I just think that it's a dangerous sort of bad precedent

for us to set, start telling folks who are notaries, who are employed in a particular workplace, they cannot notarize documents at the workplace. That's what this bill would do, by saying that, basically, once a notary, they are working on a campaign, they can't notarize petitions for that campaign. The other issue I'd like to raise, and I hope the Legislative Record will reflect, is the fact that once a notary notarizes one petition sheet their First Amendment rights, their ability to work on that particular issue in that political season, are out the window. They are not allowed to work on that issue any more once they notarize a petition sheet for that issue, and I think that that's unconstitutional and I just wanted the record to reflect that, and I thank you for your time.

PASSED TO BE ENACTED and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

All matters thus acted upon were ordered sent down forthwith for concurrence.

The Chair laid before the Senate the following Tabled and Later Assigned (6/13/17) matter:

An Act To Reduce the License Fee for High-stakes Beano
H.P. 755 L.D. 1077

Tabled - June 13, 2017, by Senator **DESCHAMBAULT** of York

Pending - **ENACTMENT** in concurrence

(In House, **PASSED TO BE ENACTED**.)

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Aroostook, Senator Carpenter.

Senator **CARPENTER:** Thank you, Mr. President. Mr. President, has a roll call been asked for on this?

THE PRESIDENT PRO TEMPORE: It has not.

Senator **CARPENTER:** I would so request and speak briefly if I might. Ladies and gentlemen of the Senate.

THE PRESIDENT PRO TEMPORE: The Senator will defer.

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

THE PRESIDENT PRO TEMPORE: The Senator may continue.

Senator **CARPENTER:** Thank you, Mr. President. Calling your attention to item number 26 on our calendar today. It is a small bill. It will allow the Passamaquoddy Tribe in Downeast Maine to once again run their beano, which they've done for many years.

The reason they're not doing it now is the cash requirement of \$25,000 is just not attainable. Just not enough people coming to their beano. So this would simply do one thing, and one thing only, and that's lower the fee from \$25,000, which the State's not going to get anyway, to \$5,000. It would allow them to start their beano and I would ask you to seriously consider allowing the tribe this right. Thank you.

THE PRESIDENT PRO TEMPORE: The pending question before the Senate is Enactment. If you are in favor you will vote yes. If you are opposed you will vote no. Is the Senate ready for the question?

The Doorkeepers secured the Chamber.

The Secretary opened the vote.

ROLL CALL (#323)

YEAS: Senators: BELLOWS, BRAKEY, BREEN, CARPENTER, CARSON, CHENETTE, CHIPMAN, DESCHAMBAULT, DIAMOND, DILL, DION, GRATWICK, JACKSON, KEIM, LIBBY, MAKER, MILLETT, MIRAMANT, VITELLI, WOODSOME

NAYS: Senators: COLLINS, CUSHING, CYRWAY, DAVIS, DOW, HAMPER, HILL, KATZ, LANGLEY, ROSEN, SAVIELLO, THIBODEAU, VOLK, WHITTEMORE, PRESIDENT PRO TEMPORE MASON

20 Senators having voted in the affirmative and 15 Senators having voted in the negative, this Bill was **PASSED TO BE ENACTED** and, having been signed by the President Pro Tempore, was presented by the Secretary to the Governor for his approval.

Ordered sent down forthwith.

The Chair laid before the Senate the following Tabled and Later Assigned (6/14/17) matter:

House Reports - from the Committee on Criminal Justice and Public Safety on Bill "An Act To Prohibit Female Genital Mutilation"

H.P. 525 L.D. 745

Report "A" - **Ought to Pass as Amended by Committee Amendment "A" (H-483)** (7 members)

Report "B" - **Ought to Pass as Amended by Committee Amendment "B" (H-484)** (3 members)

Report "C" - **Ought Not to Pass** (2 members)

Report "D" - **Ought to Pass as Amended by Committee Amendment "C" (H-485)** (1 member)

Tabled - June 14, 2017, by Senator **ROSEN** of Hancock

Pending - motion by same Senator to **ACCEPT Report "A" OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "A" (H-483) in NON-CONCURRENCE**

(In House, Report "B" **OUGHT TO PASS AS AMENDED BY COMMITTEE AMENDMENT "B" (H-484) READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-484).**)

THE PRESIDENT PRO TEMPORE: The Chair recognizes the Senator from Washington, Senator Maker.

Senator **MAKER:** Mr. President Pro Tem, ladies and gentlemen of the Senate, I rise in support of the Majority Report. L.D. 745 received three different Minority Committee Reports. Female genital mutilation, or FGM, is the custom of cutting external female genitalia for non-medical purposes. This procedure is known to be prevalent in 29 countries, including the United States. Usually midwives or physicians perform the cutting, often times without any anesthesia. FGM is sometimes reviewed as a religious ritual, but it is not a formal part of Shafai'i law and is not a part of Islam law. It is not promoted in the Quran. Four years ago the Population Reference Bureau estimates that 1,603 females were at risk in Maine for either already having been subjected to FGM or as potential victims. Of these, 399 were girls under the age of 18. The UNICEF brochure indicates that 98% of females aged 15 to 49 have undergone genital mutilation in Somalia. In 1996 Congress passed legislation making all types of FGM a federal crime and in 2012 Congress also passed the Transport for Female Genital Mutilation Act making vacation cutting illegal. Despite these laws, FGM is on the rise in America. The Center for Disease Control and Prevention estimates approximately 513,000 women and girls in the United States are at risk or have been subject to FGM in 2012, a three-fold increase from its 1990 data.

While the U.S. does have better laws banning this deep-seeded tradition, 24 other states have also enacted state laws to help protect these children and to help clarify the ban for state prosecutors. To stop this practice, we must have laws in place and we must enforce them. District Attorney Maeghan Maloney's testimony is clear. She explains that prosecutors need a state law in order to prosecute. L.D. 745 was submitted to establish a clear Maine law to prohibit FGM and to establish a ban on vacation cutting. I think it's important to recognize that FGM is regarded as child abuse. As such, doctors, nurses, teachers, and other professionals are mandated reporters. Last month former FBI Director James Comey appeared before the U.S. Senate Judiciary Committee to speak about the three recent and first of the kind arrest involving female genital mutilation and vacation cutting that occurred in the State of Michigan. The parents were from Minnesota. He said, "This is among the most important work we do, protecting children especially." Why did the parents arrange for the little girls to travel across state lines from Minnesota to Michigan to be cut? Minnesota has a prohibition in the State law and Michigan did not. Female genital mutilation is a human rights issue and it is a child abuse issue. It's not a civil liberty to be able to commit child abuse. I am hopeful that this Body will join me and support the Majority Report. An education program is already in place. It is well-funded through the federal government. Let's vote to make Maine the 25th state to prohibit FGM and protect Maine's at-risk little girls.