

MAINE STATE LEGISLATURE

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Legislative Record
House of Representatives
One Hundred and Thirtieth Legislature
State of Maine

Daily Edition

First Special Session

beginning April 28, 2021

beginning at page H-200

ONE HUNDRED AND THIRTIETH LEGISLATURE
FIRST SPECIAL SESSION
2nd Legislative Day
Wednesday, May 19, 2021

The House met according to adjournment and was called to order by the Speaker.

Prayer by Honorable Victoria W. Doudera, Camden.

National Anthem.

Pledge of Allegiance.

The Journal of Wednesday, April 28, 2021 was read and approved.

At this point, the Speaker recognized the Representative from Naples, Representative CEBRA, the Representative from Canaan, Representative STETKIS, the Representative from Hiram, Representative WADSWORTH and the Representative from Eddington, Representative LYFORD and they were added to the roll call of the First Special Session of the 130th Legislature.

The following items were taken up out of order by unanimous consent:

CONSENT CALENDAR

First Day

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(H.P. 220) (L.D. 316) Bill "An Act To Prohibit the Use of Chlorpyrifos" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass**

(H.P. 243) (L.D. 345) Bill "An Act Updating Certain Probate Filing and Certification Fees To Reflect Current Costs" Committee on **JUDICIARY** reporting **Ought to Pass**

(H.P. 703) (L.D. 947) Bill "An Act To Address the Long-term Impact of Economic Abuse by a Spouse" Committee on **JUDICIARY** reporting **Ought to Pass**

(H.P. 910) (L.D. 1244) Bill "An Act To Extend Electronic Proof of Registration to All-terrain Vehicles, Snowmobiles and Watercraft" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass**

(H.P. 932) (L.D. 1272) Bill "An Act To Eliminate Limits on the Number of Taste-testing Events for Beer, Wine and Spirits" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass**

(H.P. 1041) (L.D. 1425) Resolve, To Dedicate a Portion of Route 6 from Lee to Springfield in Honor of Sgt. Blair Emery Committee on **TRANSPORTATION** reporting **Ought to Pass**

(H.P. 1137) (L.D. 1533) Bill "An Act To Amend the Foreign Credentialing and Skills Recognition Revolving Loan Program" Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass**

(H.P. 44) (L.D. 78) Bill "An Act To Protect Children from Extreme Poverty by Preserving Children's Access to Temporary Assistance for Needy Families Benefits" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-166)**

(H.P. 47) (L.D. 81) Bill "An Act To Ensure the Safety of Children Experiencing Homelessness by Extending Shelter Placement Periods" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-162)**

(H.P. 98) (L.D. 142) Bill "An Act To Give the Commissioner of Inland Fisheries and Wildlife Rule-making Authority To Establish a Bear Season Framework and Bag Limits" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-148)**

(H.P. 99) (L.D. 143) Bill "An Act To Make the Arrearage Management Program Permanent" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-128)**

(H.P. 100) (L.D. 144) Bill "An Act To Fund Capital Improvements to Career and Technical Education Centers and Regions To Bolster Maine's Future Workforce" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-139)**

(H.P. 171) (L.D. 250) Bill "An Act To Assist Nursing Homes in the Management of Facility Beds" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-163)**

(H.P. 236) (L.D. 332) Bill "An Act To Reevaluate the Frenchboro Area Dragging Exclusion Zone" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-146)**

(H.P. 349) (L.D. 475) Resolve, To Create the Frequent Users System Engagement Collaborative (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-167)**

(H.P. 360) (L.D. 497) Bill "An Act To Strengthen Supports for Families and Children through a Child Abuse and Neglect Prevention and Early Intervention Program" (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-165)**

(H.P. 367) (L.D. 504) Resolve, Regarding Certification for Certain Mental Health Rehabilitation Technicians Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-151)**

(H.P. 433) (L.D. 590) Bill "An Act To Require MaineCare Coverage for Ostomy Equipment" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-110)**

(H.P. 442) (L.D. 606) Bill "An Act Regarding the Child Protection System" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-164)**

(H.P. 489) (L.D. 662) Bill "An Act To Provide Chiefs of Police the Discretion To Allow the Use of Light Bars on Emergency Vehicles" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-126)**

(H.P. 497) (L.D. 670) Bill "An Act To Increase the Lobbyist Registration Fee" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-155)**

(H.P. 505) (L.D. 693) Bill "An Act To Make the Pilot Program Providing Mental Health Case Management Services to Veterans a Permanent Program" (EMERGENCY) Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-154)**

(H.P. 524) (L.D. 714) Bill "An Act To Support the Recovery of Maine's Craft Spirits Industry" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-156)**

(H.P. 566) (L.D. 761) Bill "An Act To Establish the Maine Community College System Pell Grant Match Program" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-182)**

(H.P. 569) (L.D. 764) Bill "An Act To Authorize the Maine Emergency Management Agency To Requisition Food Supplies for Emergency Use or Special Duty Assignments" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-109)**

(H.P. 577) (L.D. 772) Bill "An Act To Permit Naloxone Possession, Prescription, Administration and Distribution in Public and Private Schools" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-138)**

(H.P. 585) (L.D. 780) Bill "An Act Regarding Uncontrolled Hazardous Substance Sites" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-153)**

(H.P. 595) (L.D. 790) Bill "An Act Clarifying Patient Consent for Certain Medical Examinations" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-112)**

(H.P. 638) (L.D. 870) Resolve, Directing the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations To Study the Impact of Policies Regarding Agriculture, Access to Land, Access to Grants and Access to Financing on African-American and Indigenous Farmers in the State Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-141)**

(H.P. 640) (L.D. 872) Bill "An Act Concerning Motor Vehicle Emissions Control System Tampering" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-131)**

(H.P. 653) (L.D. 897) Bill "An Act To Protect Maine Veterans from Unfair Consequences of Taxation Policy" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-136)**

(H.P. 693) (L.D. 937) Resolve, To Facilitate the Provision of Incentives for Soil Carbon Storage Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-161)**

(H.P. 699) (L.D. 943) Bill "An Act To Improve Turkey Tagging by Allowing Electronic Tagging" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-147)**

(H.P. 725) (L.D. 979) Bill "An Act To Expand Maine's School-based Health Centers" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-130)**

(H.P. 766) (L.D. 1031) Bill "An Act To Create an Administrative Review Process for Hunting Violations" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-129)**

(H.P. 810) (L.D. 1132) Bill "An Act To Encourage the Renovation of Available Housing Stock" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-152)**

(H.P. 819) (L.D. 1141) Bill "An Act To Amend the Service Contracts Act To Include Motor Vehicle Theft Protection Programs and Warranties" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-150)**

(H.P. 860) (L.D. 1182) Bill "An Act To Allow Commercial Lobster License Holders To Possess a Marine Harvesting Demonstration License" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-125)**

(H.P. 884) (L.D. 1209) Bill "An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2021-22" (EMERGENCY) Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-168)**

(H.P. 1011) (L.D. 1377) Bill "An Act Regarding Campaign Finance Disclosure and the Filing of Statements of Sources of Income" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-157)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the House Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act Regarding Dignity for Women in Correctional Facilities"

(H.P. 1276) (L.D. 1721)
Sponsored by Representative TALBOT ROSS of Portland.
Cosponsored by Senator LAWRENCE of York and Representatives: EVANS of Dover-Foxcroft, Speaker FECTEAU of Biddeford, GRAMLICH of Old Orchard Beach, MILLETT of Cape Elizabeth, PLUECKER of Warren, WARREN of Hallowell, Senators: BREEN of Cumberland, HICKMAN of Kennebec.

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

Sent for concurrence.

Bill "An Act To Ensure Full Payment of the State's Salary Supplement Obligation to Teachers with National Board Certification"

(H.P. 1271) (L.D. 1716)
Sponsored by Representative MILLETT of Cape Elizabeth.
Cosponsored by Senator RAFFERTY of York and Representatives: BRENNAN of Portland, CROCKETT of Portland, DODGE of Belfast, PIERCE of Falmouth, SALISBURY of Westbrook.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed. **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent for concurrence.

Bill "An Act To Ensure Home Care and Hospice Providers Are Included in Maine's Emergency Response Plans"

(H.P. 1272) (L.D. 1717)

Sponsored by Representative DILLINGHAM of Oxford.

Bill "An Act To Establish the Accidental Drug Overdose Death Review Panel" (EMERGENCY)

(H.P. 1273) (L.D. 1718)

Sponsored by Representative EVANS of Dover-Foxcroft. (GOVERNOR'S BILL)

Bill "An Act To Ensure Access to All Paths to Recovery for Persons Affected by Opioids Using Money Obtained through Litigation against Opioid Manufacturers" (EMERGENCY)

(H.P. 1277) (L.D. 1722)

Sponsored by Representative WARREN of Hallowell.

Cosponsored by Senator: President JACKSON of Aroostook.

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent for concurrence.

Bill "An Act To Protect the Privacy of Personal Information of Maine Residents"

(H.P. 1275) (L.D. 1720)

Sponsored by Representative O'NEIL of Saco.

Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** suggested and ordered printed.

REFERRED to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed.

Sent for concurrence.

Bill "An Act To Prevent Human Trafficking and Child Exploitation"

(H.P. 1274) (L.D. 1719)

Sponsored by Representative SAMPSON of Alfred.

Cosponsored by Senator KEIM of Oxford and Representatives: LYMAN of Livermore Falls, O'CONNOR of Berwick, QUINT of Hodgdon.

Committee on **JUDICIARY** suggested and ordered printed.

REFERRED to the Committee on **JUDICIARY** and ordered printed.

Sent for concurrence.

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

ENACTORS **Constitutional Amendment**

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Right to a Healthy Environment

(S.P. 196) (L.D. 489)
(C. "A" S-53)

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

On motion of Representative DUNPHY of Old Town, **TABLED** pending **FINAL PASSAGE** and later today assigned.

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding Early Voting

(H.P. 423) (L.D. 580)
(C. "A" H-95)

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

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on **FINAL PASSAGE**.

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 Knox, Representative Kinney.

Representative **KINNEY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand in opposition to the pending motion.

This early voting constitutional resolution, we can already do this in the State of Maine. We are lucky because we do have the ability with absentee voting to vote early and this is an unnecessary bill that will cause unnecessary problems to our clerks, our municipal clerks, leading up to the election, so, please follow my light. Thank you.

The SPEAKER: The Chair recognizes the Representative from Cumberland, Representative Moriarty.

Representative **MORIARTY**: Thank you, Mr. Speaker. Good morning, Fellow Members of the House. I'd like to speak to this issue. The bill proposes a constitutional amendment which would allow and authorize the Legislature to develop a process for early voting and I want to distinguish that from absentee voting which was referred to previously by the Representative from Knox.

We're all familiar with absentee voting, we're all familiar with the experience the State had last fall, a very successful experience. But we also know that a good many people were uncomfortable with the absentee process because it necessarily involves turning over your completed ballot to the Town Clerk or mailing it in to the Town Office or dropping it in a drop box. And there was some discomfort, well-covered in the news and well-expressed throughout the State, about the loss of control of one's ballot.

So, early voting is completely different and distinguishable. Early voting means, by the way, it does not take the place of absentee voting in any sense of the word, it is an additional option which will make things easier both for the clerks and for those who choose to exercise their right to vote in advance of Election Day.

Typically what happens is that a period of time, 10 days, perhaps 14 days prior to Election Day, the option for exercising early voting rights begin. And the distinguishing factor is that to vote in an early manner you simply go to Town Hall, request a ballot, complete it, but you do not surrender it to any other person. You don't put it in an envelope, you don't mail it, you

don't leave it in a drop box, and you don't leave it in the custody of a clerk. Instead, immediately upon your completing the ballot, you personally, without turning it over to anybody else, take it to the voting machine and you insert it, where it is immediately counted, and then you're done. So, you have accomplished, if you prefer to vote in advance of Election Day but you're uncomfortable with turning over the custody and control of your ballot to someone else, early voting may be the option for you. It allows you to do so. It does not add to the workload of the clerks, it encourages more people to vote, it speeds up the processing and counting of ballots on election night because the clerks don't have to open envelopes and flatten out paper and insert the absentee ballots into the machine; that will already have been done if you have chosen to vote via the early voting process.

We did this twice here in Maine, in '07 and '09, on a pilot project basis. It was extraordinarily successful, extremely well-received by all of those counties which participated in the pilot programs. So, having done it with remarkable success and ease, there are no grounds on that basis to decline the option to proceed further. And that involves, again, a constitutional amendment authorizing the Legislature to develop the process. And, finally, and perhaps most importantly, this is not a mandate for each and every community in the State. On the contrary, every city and town in the State will, in the exercise of its sole discretion, decide whether or not to offer early voting as an option to its residents. A town or a city need not do so; it is entirely up to them to make that choice. So, local control is maintained and you extend to your residents one more option for voting in advance of Election Day, which has already been proven to work here in the State. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Milton Township, Representative Dolloff.

Representative **DOLLOFF**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Constitution is a precious document and I do not feel this bill or this proposal to amend the Constitution for early voting needs a constitutional amendment or we're going to be amending the Constitution constantly.

I just feel that we can change things in different ways than to make it a constitutional amendment. And, also, I'm sure a lot of you have heard, as I have emails coming in from city clerks who have to take care of this does not want this amendment. So, thank you, Mr. Speaker.

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

Representative **UNDERWOOD**: Thank you, Mr. Speaker. My name is Joseph Underwood, I am from Presque Isle, and LD 580 is opening a can of worms in regards to fraud or the opportunity to commit possible fraud. There should be no change in our current election laws and our current Constitution provides ample opportunities for people to vote and specifically sets requirements. So, with this thought in mind, vote Ought Not to Pass on LD 580. Thank you.

The SPEAKER: The Chair recognizes the Representative from Penobscot, Representative Hutchins.

Representative **HUTCHINS**: Ladies and Gentlemen of the House, I think there's perhaps an oversight in the procedure that would go along with this. When we vote at our voting places, there are people there that can challenge your vote, which then that vote is taken and put in a special spot until determined whether it can go in. The same thing with absentee ballots; they can be challenged because the day before or two days before an election the clerk will send the committee chairs in the town a notice that absentee ballots are going to be opened if you want

to be there, to not inspect the ballots, but to challenge the ballots if you feel there's a problem with one of them.

Well, this particular process that we just had described to us, if it's 10 or 14 days before, does that mean that the clerks are going to have to have people from the two or three major parties, however there might be in your town, there full-time for the possibility that somebody is coming in to vote and there should be a chance to challenge that vote? And the way it was explained, I think the chances of being able to challenge it would be nearly impossible just from the logistics of having somebody setting there twiddling their thumbs for 10 to 14 days. So, I would recommend against this piece of legislation. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Canaan, Representative Stetkis.

Representative **STETKIS**: Thank you, Mr. Speaker. I'd like to ask a question through the Chair.

The SPEAKER: The Member may proceed.

Representative **STETKIS**: So, it's been suggested that somehow this is going to make it easier for clerks. The vast majority of towns in the State of Maine tend to be in rural towns. Voting machines are not set up at all times, many times we vote in buildings outside of our normal place of business in our municipalities and, thirdly, many of our towns do not even have voting machines because they do not reach the threshold of population. So, the chain of custody would be exactly the same as an absentee ballot. So, how does this make it easier for clerks?

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

Representative **PIERCE**: Thank you, Mr. Speaker. I just want to do some clarification about why I'll be supporting this. The good Representative from Cumberland was correct; we've piloted this twice, it's been very successful, and what we're voting on today is not to implement this but to send it to the voters of Maine so that they can decide if they would like this option or not in their local communities. I just want to be clear about that. I hope you'll follow my light.

The SPEAKER: The Chair recognizes the Representative from Knox, Representative Kinney.

Representative **KINNEY**: Thank you, Mr. Speaker. I rise to answer the question from the Representative from Canaan.

I, too, live in a rural town and what will end up happening is they're going to have to put it in the ballot box if they don't have a voting machine. By putting it in a ballot box on Election Day they can't show you that the ballot box is empty, so, I don't see how this will be easier for clerks. Thank you.

The SPEAKER: The Chair recognizes the Representative from Cumberland, Representative Moriarty.

Representative **MORIARTY**: Thank you, Mr. Speaker. Permission to speak for a second time?

The SPEAKER: The Member does not need permission to speak for a second time; the Member needs permission to speak for a third time. We'll wait for that opportunity.

Representative **MORIARTY**: How rusty I've grown. Thank you.

In response to the questions raised about the difficulties this could impose upon small towns, there are two straightforward and very easy answers. First of all, the bill would allow the Legislature to develop a process for early voting on a statewide basis. So, it comes back to the details, the nitty-gritty, come back to the Legislature for debate, resolution and enactment. But, furthermore, and perhaps more importantly, and this was my concluding point a moment ago, this is not a mandate. Smaller towns which would have difficulty in

complying in structuring themselves for early voting don't have to do it at all. It's the governing body of that particular town can simply say no, we're not going to make this option available, we're not set up for it, we don't have machines, it's too difficult for the clerks or for whatever reason they may have. And there's no particular type of reason that's required, it's strictly a local option, and that's it. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Oxford, Representative Dillingham.

Representative **DILLINGHAM**: Thank you, Mr. Speaker. While I can appreciate what the former speaker just said as far as it would come back to the Legislature to create the parameters around this system, I am actually going to go ahead and listen to the folks, my clerks in my three districts, that all reached out and this is something that they deal with, this is their job, and they know better than anything I'm going to be able to advise them on, and they have all asked me to not support this. I ask all of you to follow my light. Thank you very much.

The SPEAKER: A roll call has been ordered. The pending question before the House is Final Passage. All those in favor will vote yes, those opposed will vote no.

This being a Constitutional Amendment, and a two-thirds vote of the House being necessary, a total was taken.

ROLL CALL NO. 46

YEA - Alley, Arford, Babbidge, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Bailey, Grignon, Martin.

Yes, 83; No, 65; Absent, 3; Excused, 0.

83 having voted in the affirmative and 65 voted in the negative, with 3 being absent, and accordingly the Resolution **FAILED FINAL PASSAGE** and was sent to the Senate.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act Regarding Winter Maintenance on Private Roads in the Town of Windham"

(H.P. 1278) (L.D. 1723)

Sponsored by Representative BRYANT of Windham.

Cosponsored by Senator DIAMOND of Cumberland and Representative: COREY of Windham.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Sent for concurrence.

**CONSENT CALENDAR
First Day**

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(H.P. 962) (L.D. 1306) Bill "An Act To Include Crisis Response Services in Emergency Services Offered through the E-9-1-1 System" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-186)**

(H.P. 1147) (L.D. 1542) Bill "An Act To Repeal and Replace the Kittery Water District Charter" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-185)**

(H.P. 1263) (L.D. 1700) Bill "An Act To Provide Allocations for the Administration of State Fiscal Recovery Funds" (EMERGENCY) Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-184)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the House Papers were **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(H.P. 196) (L.D. 280) Bill "An Act To Increase Funding for Snowmobile Trails and Capital Equipment Grants" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-188)**

(H.P. 370) (L.D. 507) Bill "An Act To Improve Consumer Protections for Community Solar Projects" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-189)**

(H.P. 386) (L.D. 541) Bill "An Act To Improve Health Care Data Analysis" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-187)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the House Papers were **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

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

ENACTORS

Emergency Measure

An Act To Fully Fund and Restore State-Municipal Revenue Sharing

(H.P. 232) (L.D. 328)
(C. "A" H-80)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 123 voted in favor of the same and 3 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Allow Certain Employees To Return to Participation in the Maine Public Employees Retirement System

(S.P. 276) (L.D. 711)
(S. "A" S-62 to C. "A" S-51)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 123 voted in favor of the same and 3 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Improve the Animal Welfare Laws

(H.P. 69) (L.D. 103)
(C. "A" H-65)

An Act To Require a Background Check for High-risk Health Care Providers under the MaineCare Program

(S.P. 51) (L.D. 121)
(C. "A" S-61)

An Act To Establish Juneteenth as a Paid State Holiday

(H.P. 136) (L.D. 183)

An Act To Support Emergency Shelter Access for Persons Experiencing Homelessness

(H.P. 146) (L.D. 211)
(C. "A" H-74)

An Act To Conserve the Frances Perkins Homestead National Historic Landmark

(S.P. 183) (L.D. 440)
(C. "A" S-55)

An Act To Establish a Permanent Appointment of a Member of the Wabanaki Tribes to the Board of Trustees of the University of Maine System

(H.P. 329) (L.D. 453)
(C. "A" H-89)

An Act To Change the Compensation Structure of the Maine Labor Relations Board and the State Board of Arbitration and Conciliation

(H.P. 357) (L.D. 494)
(C. "A" H-98)

An Act To Improve Regulation of Door-to-door Marketing of Retail Energy Supply

(H.P. 371) (L.D. 508)
(C. "A" H-106)

An Act Regarding Services Designed To Reduce the Number of So-called Robocalls and Automatically Dialed Telephone Calls

(H.P. 374) (L.D. 511)
(C. "A" H-107)

An Act To Provide Funding for Maine's Health Insurance Consumer Assistance Program

(S.P. 245) (L.D. 631)
(C. "A" S-41)

An Act To Promote Economic Development and Outdoor Recreation through Investment in State Parks

(H.P. 512) (L.D. 700)
(C. "A" H-100)

An Act To Enable Electronic Reporting of Suspected Child Abuse and Neglect for Certain Mandated Reporters

(H.P. 583) (L.D. 778)

An Act Regarding the Membership of the Sexual Assault Forensic Examiner Advisory Board

(H.P. 588) (L.D. 783)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Resolves

Resolve, Directing the Advisory Committee on Truancy, Dropouts and Alternative Education To Study Truancy and Attendance in the State and Develop Recommendations To Improve Student Attendance

(H.P. 182) (L.D. 261)
(C. "A" H-73)

Resolve, To Establish a Pilot Project To Provide Support Services for Military Members Transitioning to Civilian Life in Maine

(H.P. 387) (L.D. 542)
(C. "A" H-102)

Resolve, To Study the Establishment of the Maine Climate Corps

(H.P. 533) (L.D. 722)
(C. "A" H-97)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

An Act To Conform the Maine Apprenticeship Program to the Federal Equal Employment Opportunity Act of 1972

(S.P. 37) (L.D. 29)
(C. "A" S-48)

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

On motion of Representative DUNPHY of Old Town, 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: 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. 47

YEA - Alley, Andrews, Arford, Babbidge, Bell, Berry, Bickford, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Corey, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Fecteau, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Austin, Bernard, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Arata, Bailey, Grignon, Martin.
Yes, 87; No, 60; Absent, 4; Excused, 0.

87 having voted in the affirmative and 60 voted in the negative, with 4 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**.

REPORTS OF COMMITTEE

Report of the Chair-Pursuant to Joint Order S.P. 9

Representative BERRY from the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act Concerning Small Wireless Facilities in Maine"

(H.P. 267) (L.D. 383)

Reports a recommendation for a **CHANGE OF COMMITTEE**.

The Report was **READ** and **ACCEPTED**.

On motion of Representative BERRY of Bowdoinham, the Bill was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Sent for concurrence.

Representative TEPLER from the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Prohibit Mandatory COVID-19 Vaccinations for 5 Years To Allow for Safety Testing and Investigations into Reproductive Harm" (EMERGENCY)

(H.P. 635) (L.D. 867)

Reports a recommendation for a **CHANGE OF COMMITTEE**.

The Report was **READ** and **ACCEPTED**.

On motion of TEPLER of Topsham, the Bill was **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

Sent for concurrence.

Representative TERRY from the Committee on **TAXATION** on Bill "An Act To Provide a Tax Credit for Family Caregivers"

(H.P. 209) (L.D. 296)

Reports a recommendation for a **CHANGE OF COMMITTEE**.

The Report was **READ** and **ACCEPTED**.

On motion of TERRY of Gorham, the Bill was **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

Sent for concurrence.

Representative CAIAZZO from the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Increase Campaign Finance Transparency and Accountability in Municipal Elections"

(H.P. 1229) (L.D. 1658)

Reports a recommendation for a **CHANGE OF COMMITTEE**.

The Report was **READ** and **ACCEPTED**.

On motion of CAIAZZO of Scarborough, the Bill was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Sent for concurrence.

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

Refer to the Committee on Judiciary Pursuant to Statute

Representative HARNETT for the **Joint Standing Committee on Judiciary** on Bill "An Act To Protect the Constitutional Rights of Indigent Defendants"

(H.P. 1254) (L.D. 1685)

Reporting that it be **REFERRED** to the Committee on **JUDICIARY** pursuant to the Maine Revised Statutes, Title 4, section 1804, subsection 3, paragraph H.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

Sent for concurrence.

Refer to the Committee on Judiciary Pursuant to Statute

Representative HARNETT for the **Joint Standing Committee on Judiciary** on Bill "An Act To Implement a Geographically Limited Public Defender Office"

(H.P. 1255) (L.D. 1686)

Reporting that it be **REFERRED** to the Committee on **JUDICIARY** pursuant to the Maine Revised Statutes, Title 4, section 1804, subsection 3, paragraph H.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

Sent for concurrence.

Refer to the Committee on Judiciary Pursuant to Statute

Representative HARNETT for the **Joint Standing Committee on Judiciary** on Bill "An Act To Improve the Provision of Indigent Legal Services" (EMERGENCY) (H.P. 1256) (L.D. 1687)

Reporting that it be **REFERRED** to the Committee on **JUDICIARY** pursuant to the Maine Revised Statutes, Title 4, section 1804, subsection 3, paragraph H.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

Sent for concurrence.

Change of Committee

Representative MARTIN from the Committee on **TRANSPORTATION** on Bill "An Act To Make Certain Traffic Infractions Secondary Offenses"

(H.P. 1094) (L.D. 1479)

Reporting that it be **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

Sent for concurrence.

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

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

Representative **BICKFORD**: Thank you, Mr. Speaker. I rise to pose a question to the Chair.

The SPEAKER: The Member may proceed on the record.

Representative **BICKFORD**: There are 19 business days left between now and adjournment date of June 16th and we are referring 106 bills to committee. Can you please explain to this group how we are going to finish our work by June 16th?

Divided Report

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-59)** on Bill "An Act To Support Collection and Proper Disposal of Unwanted Drugs"

(S.P. 15) (L.D. 8)

Signed:

Senators:

BRENNER of Cumberland
BENNETT of Oxford
CARNEY of Cumberland

Representatives:

TUCKER of Brunswick
BELL of Yarmouth
BLUME of York
DOUDERA of Camden
GRAMLICH of Old Orchard Beach
TUELL of East Machias
ZEIGLER of Montville

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

Signed:

Representatives:

HANLEY of Pittston
JOHANSEN of Monticello
O'CONNOR of Berwick

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-59) AS AMENDED BY SENATE AMENDMENT "A" (S-63)** thereto.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-59)** was **READ** by the Clerk.

Representative HANLEY of Pittston **PRESENTED House Amendment "A" (H-196) to Committee Amendment "A" (S-59)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Mr. Speaker. Mr. Speaker, I present a House Amendment "A" with a filing number of (H-196) to Committee Amendment "A" and move its adoption and I wish to speak to my motion.

Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I offer the amendment as a clarification; a finetuning, if you will, of this bill that is before us. And this amendment simply puts Maine, if it passes this piece of legislation, more in line with other states. The State of New York has the same type of language in the bill.

If we're going to enact this type of legislation, it would be intelligent of us to do so in a way that would make things regionally the same, so, I ask you to support this amendment and thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Brunswick, Representative Tucker.

Representative **TUCKER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This bill sets up a stewardship program to take back unused or leftover drugs. It sets up drug manufacturer stewardship organizations who will operate and fund the program under DEP rules.

Under this bill, considered for over three years by this Legislature, costs between and among manufacturers will be allocated by, quote, market share, close quote. This last-minute House Amendment would change the word market share and replace it with, quote, volume and value.

We should reject this amendment since it is really an intramural fight between different types of drug manufacturers. Some wish to emphasize cost and revenue, others wish to emphasize volume based on their particular peculiarities and their share of the market share.

This is too late. We debated this bill over three years. This was a key issue. The committee considered it in detail. We discussed it many times. Therefore, I ask that we leave this intramural fight to the drug companies, they can argue with the DEP all they want as to what market share means, however, we should reject the amendment at this time.

Representative DUNPHY of Old Town **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-196) to Committee Amendment "A" (S-59)**.

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 Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Mr. Speaker. This amendment was brought forth in response to the last-minute amendment that was applied to this document in the Senate, so, we can do tit-for-tat all day long but, nonetheless, like I said, a clarification and a regionalization of this document. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "A" (H-196) to Committee Amendment "A" (S-59). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 48

YEA - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Stanley, Stearns, Stetkis, Theriault, Thorne, Underwood, Wadsworth, White.

NAY - Alley, Arford, Babbidge, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazza, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dillingham, Dodge, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Skolfield, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuell, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

ABSENT - Bailey, Doore, Grignon, Martin.

Yes, 63; No, 84; Absent, 4; Excused, 0.

63 having voted in the affirmative and 84 voted in the negative, with 4 being absent, and accordingly **House Amendment "A" (H-196) to Committee Amendment "A" (S-59) was NOT ADOPTED.**

Subsequently, **Senate Amendment "A" (S-63) to Committee Amendment "A" (S-59) was READ.**

The SPEAKER: The Chair recognizes the Representative from Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Mr. Speaker. I rise in opposition to the pending motion, if this is the proper time to do so.

The SPEAKER: If the Member would like to debate Senate Amendment "A" to Committee Amendment "A", now would be the time.

Representative **HANLEY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I'm opposed to this proposed legislation on a multitude of grounds, the first being the State of Maine has the highest reclaim rate of unused drugs in the nation. We're number one in that category already. The Sheriff's Department Association, when they testified on this bill, actually clarified for us that they do this now and that even if this bill passes, they're not going to stop. You will have two parallel programs working.

Now, because the other component to this is that nothing is free, when you impose upon the drug companies the need to establish a program and all the other activities that are required in this bill, you will incur a cost and those costs will be passed on to drug users all through the State. And right now the

average proportion of drugs in the State is about 80% of them are generic and by a large margin the low income, fixed income, retirees, these are the people that benefit most from generic drugs. And when their portion of it is that high, sooner or later, it's called the tax, well, it's just an inflation tax, you can't help it.

Everything is costing more these days. If you've been to a gas pump lately, you've recognized that. If you've tried to build anything, you've recognized that. Inflation, I think, is coming at us, anyway. It would be too bad to put another straw on the camel's back, our citizens, by imposing this type of legislation. I ask you to follow my light and to defeat this measure. Thank you, Mr. Speaker.

Representative FECTEAU of Augusta **REQUESTED** a roll call on the motion to **ADOPT Senate Amendment "A" (S-63) to Committee Amendment "A" (S-59).**

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 Adoption of Senate Amendment "A" (S-63) to Committee Amendment "A" (S-59). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 49

YEA - Alley, Arford, Babbidge, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazza, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Bailey, Doore, Grignon, Martin.

Yes, 82; No, 65; Absent, 4; Excused, 0.

82 having voted in the affirmative and 65 voted in the negative, with 4 being absent, and accordingly **Senate Amendment "A" (S-63) to Committee Amendment "A" (S-59) was ADOPTED.**

Committee Amendment "A" (S-59) as Amended by Senate Amendment "A" (S-63) thereto was 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" (S-59) as Amended by Senate Amendment "A" (S-63) thereto in concurrence.**

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment, Wednesday, April 28, 2021, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

An Act To Improve Maine's Quality Rating System for Child Care Services

(H.P. 59) (L.D. 93)
(C. "A" H-51)

TABLED - April 28, 2021 (Till Later Today) by Representative DUNPHY of Old Town.

PENDING - **PASSAGE TO BE ENACTED.**

On motion of Representative MEYER of Eliot, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED**.

On further motion of the same Representative, the rules were **SUSPENDED** for the purpose of **FURTHER RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-51)** was **ADOPTED**.

On further motion of the same Representative, **Committee Amendment "A" (H-51)** was **INDEFINITELY POSTPONED**.

Subsequently, the Bill was **PASSED TO BE ENGROSSED** in **NON-CONCURRENCE** and sent for concurrence.

Resolve, To Establish a Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions (EMERGENCY)

(H.P. 445) (L.D. 609)
(C. "A" H-75)

TABLED - April 28, 2021 (Till Later Today) by Representative DUNPHY of Old Town.

PENDING - **FINAL PASSAGE.** (Roll Call Requested)

Subsequently, 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 Final Passage. All those in favor will vote yes, those opposed will vote no.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 50

YEA - Alley, Arata, Arford, Babbidge, Bell, Berry, Bickford, Blume, Bradstreet, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carlow, Cloutier, Collamore, Collings, Copeland, Corey, Costain, Crafts, Craven, Crockett, Cuddy, Dillingham, Dodge, Dolloff, Doudera, Downes, Dunphy, Evangelos, Evans, Faulkingham, Fay, Fecteau, Geiger, Gere, Gramlich, Grohoski, Haggan, Hall, Harnett, Hasenbus, Hepler, Hymanson, Kessler, Kinney, Kryzak, Landry, Libby, Lookner, Lyford, Lyman, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett H, Millett R, Morales, Moriarty, Morris, Nadeau, Newman, O'Connell, O'Neil, Osher, Parry, Paulhus, Pebworth, Perkins, Perry, Pierce, Pluecker, Poirier, Quint, Reckitt, Rielly, Riseman, Roberts, Roche, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stearns, Stover, Supica, Sylvester, Talbot Ross, Tepler, Ferry, Theriault, Thorne, Tucker, Tuttle, Wadsworth, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Austin, Bernard, Blier, Carmichael, Cebra, Connor, Drinkwater, Ducharme, Foster, Gifford, Greenwood, Griffin, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Lemelin, Mason, O'Connor, Ordway, Pickett, Prescott, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Tuell, Underwood, White.

ABSENT - Bailey, Doore, Grignon, Martin, Perry.
Yes, 113; No, 33; Absent, 5; Excused, 0.

113 having voted in the affirmative and 33 voted in the negative, with 5 being absent, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Resolve, Directing the Maine Health Data Organization To Determine the Best Methods and Definitions To Use in Collecting Data To Better Understand Racial and Ethnic Disparities in the Provision of Health Care in Maine (EMERGENCY)

(H.P. 190) (L.D. 274)
(C. "A" H-26; H. "A" H-57)

TABLED - April 28, 2021 (Till Later Today) by Representative DILLINGHAM of Oxford.

PENDING - **FINAL PASSAGE.**

On motion of Representative TEPLER of Topsham, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Resolve was **PASSED TO BE ENGROSSED**.

On further motion of the same Representative, the rules were **SUSPENDED** for the purpose of **FURTHER RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-26)** was **ADOPTED**.

On further motion of the same Representative, **Committee Amendment "A" (H-26)** was **INDEFINITELY POSTPONED**.

Subsequently, the Resolve was **PASSED TO BE ENGROSSED as Amended by House Amendment "A" (H-57)** in **NON-CONCURRENCE** and sent for concurrence.

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass** on Bill "An Act To Permit All Public Employers To Implement Payroll Deductions for Disability and Life Insurance Policies"

(S.P. 77) (L.D. 189)

Signed:

Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
CUDDY of Winterport
GERE of Kennebunkport
PEBORTH of Blue Hill
ROEDER of Bangor

WARREN of Scarborough

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

Signed:
Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
MORRIS of Turner
PRESCOTT of Waterboro

Came from the Senate with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.
READ.

On motion of Representative SYLVESTER 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** in concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass** on Bill "An Act Regarding the Board of Occupational Safety and Health"

(S.P. 110) (L.D. 248)

Signed:
Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
CUDDY of Winterport
GERE of Kennebunkport
PEBWORTH of Blue Hill
ROEDER of Bangor
WARREN of Scarborough

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

Signed:
Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
MORRIS of Turner
PRESCOTT of Waterboro

Came from the Senate with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

READ.

On motion of Representative SYLVESTER 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** in concurrence.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-124)** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Right to Food

(H.P. 61) (L.D. 95)

Signed:
Senators:

DILL of Penobscot
MAXMIN of Lincoln

Representatives:

O'NEIL of Saco
BERNARD of Caribou
GIFFORD of Lincoln
LANDRY of Farmington
McCREA of Fort Fairfield
OSHER of Orono
PLUECKER of Warren
SKOLFIELD of Weld

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

Signed:
Senator:

BLACK of Franklin

Representatives:

HALL of Wilton
UNDERWOOD of Presque Isle

READ.

Representative O'NEIL of Saco moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** 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 Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: Thank you, Mr. Speaker. I rise in support of the pending motion.

All individuals have a natural inherent and unalienable right to food, including the right to save and exchange seeds, the right to grow, raise, harvest, produce and consume the food of their own choosing for their own nourishment, sustenance, bodily health and wellbeing as long as the individual does not commit trespass, theft, poaching or other abuses of private property rights, public lands, or natural resources in the harvesting, production or acquisition of food.

I am not the first Representative to bring this amendment to the Legislature. I was proud to spend a lot of time working on this bill in the 129th with past sponsor, Representative Craig Hickman of Winthrop, who introduced the first version of Right to Food in the Legislature where it did receive a two-thirds vote in the House of Representatives.

America's Farmer Joel Salatin said; I can't imagine a more basic human right, a more bipartisan issue than protecting my right to choose my body's food. Who could possibly think that such freedom of choice should be denied? We allow people to smoke, shoot, preach, home educate, spray their gardens with chemicals, buy lottery tickets and read about the Kardashians; wouldn't you think we could let people choose their food?

Food lawyer, Peter Hutt, states; the constitutional authority of the government to determine the food that can lawfully be marketed and the constitutional right of the individual to personal freedom and control of his own destiny will at some juncture inevitably conflict. According to the Senator from Kennebec, that day of conflict has arrived and we have an opportunity to make this moment of conflict transformational.

This Resolution pays the ultimate tribute to eaters; a set of rights that explicitly articulates an expression of our right to enjoy and defend life and liberty and pursue and obtain our safety and happiness. I see a lot of reasons for this amendment. The question is often asked why is it needed. One would have to look at the origins of the Food Sovereignty Movement for that answer.

Maine's Food Sovereignty Movement secured its first major policy win in 2011, when in response to grassroots pressure for the State to protect its small-scale farmers the Maine Legislature passed a Joint Resolution to oppose any federal statute, law, or regulation that attempts to threaten our basic human right to safe seed and grow, process, consume, and exchange food and farm products within the State. At the same time, municipalities began passing local food sovereignty ordinances. But four months later, the State of Maine sued Farmer Brown, a small dairy farmer, for selling raw milk without a license. This action showed there was still much work to do. In 2017, grassroots support swelled and with a democrat-controlled House, a republican-controlled Senate, Governor Lepage signed into law the Maine Food Sovereignty Act. I'm happy to say that currently, other than some outlying incidents with inspectors stepping in to seize mislabeled products or destroy food, we are in a fairly good position with our food sovereignty laws but there is still work to do to protect our food rights for future generations.

Food sovereignty laws deal with commercial regulation of food but what we are discussing here today is an individual right. Food sovereignty and the right to food are closely related but they are not the same thing. Rarely, our amendments adapted when they are needed. They are adapted many years before by legislators who had the foresight to pass them for the benefit of future generations. If you look back at the Bill of Rights, almost none of it was needed when it was written. As a matter of fact, there was an argument whether it needed to be written at all. Some argued that natural rights were sufficient and that individual rights didn't need to be enumerated at all. I, however, am eternally grateful that those arguments did not win and that the Bill of Rights was written. Our founders had the foresight to specifically enumerate certain rights, among them; speech, the right to bear arms and the right to be protected from unlawful searches and seizures were included. At the time of the writing, none of these rights were probably needed. We had recently defeated the British and it was a given that these rights were not in question. However, the genius and foresight was in enumerating them for future generations.

The track we face is fairly secure that this isn't an issue right now. The problem is clear; power is concentrated in the hands of a few rich individuals and corporations. Ever since the New Deal, the U.S.'s agricultural policy encouraged the consolidation of farmland. Today, Bill and Melinda Gates at

242,000 acres, are the U.S.'s largest private farmland owners. Four companies dominate the global seed market. Jump ahead 25 or 50 years into the future. Could we see government creating roadblocks and restrictions to peoples' right to food? Will the government be telling people what they are allowed to eat and where they can grow it? Will Monsanto own all the seeds and will we have gotten so far from our roots that we won't even have natural seeds anymore? Will people be allowed to grow gardens or will gardening become a luxury reserved for the rich? Will Monsanto's big pockets buy the government officials? Will only corporate or government-run farms be producing the food? Will hunting and fishing be outlawed? Will organic farms be a thing of the past, a fad of times gone by, wiped out by high seed costs and canopy restrictions imposed by an overbearing government? Will totalitarian code enforcement officers be pulling up people's carrots and onions because of town or state ordinances that forbid them? What if I told you 34 years passes in the blink of an eye? Consider, if you will, 1987 was 34 years ago. Maine added a constitutional amendment that said the right to bear arms shall never be questioned. Was it necessary in 1987? I'm sure gun restrictions were the farthest thing from any Mainer's imagination. What amazing foresight they had.

Keep in mind, constitutional amendments are to protect our rights, not provide them. Some have said that if an amendment called Right to Food is passed that the government must provide food to people. That is not the case and the language in this amendment is clear. Just as the right to bear arms is protected by the Constitution, the Constitution does not provide arms to the people. The Right to Free Speech is protected but we don't provide everyone with a microphone or a printing press to exercise it. The same would be true of the Right to Food. The amendment would protect the right of the people to grow, raise food for their own use, but have no obligation to provide it to them.

I came here to Augusta to make the State a better place for my children. We need to have the courage now and do this for our kids and grandchildren and all future generations of Mainers. This amendment strengthens the peoples' inalienable right to produce food for their own consumption; not to steal, not to trespass, not to poach, but to produce for their own consumption. Do we need it right now? Will we need it 25, 34, or 50 years from now? If we wait until then to find out, it will be too late. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Knox, Representative Kinney.

Representative **KINNEY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the pending motion for several reasons.

First, I want to take us back in time to the 128th Legislature when the Food Sovereignty Act was passed. The USDA did not weigh in on the issues this law would cause because it was not yet law. So, in October of 2017, just before the language was to go into effect, the ACF committee, of which I was a Member at the time, was called in to fix the law or the USDA was going to shut down our custom slaughterhouses in Maine because there was no provisions for inspection of meat for resale.

Our custom slaughterhouses are state-inspected by the Department of Ag, Conservation and Forestry, to follow the USDA requirements for the processing of meat for resale in and outside the State of Maine. Maine has six USDA-inspected slaughterhouses and another seven custom slaughterhouses. They supplement the USDA facilities around our State to accommodate all our wonderful farmers statewide. Additionally, we have processing establishments, but there still needs to be an inspected slaughter of the animals in order for the meat to be

processed for resale. In order for meat to be sold in our grocery stores and butcher shops, it must be slaughtered and processed under USDA guidelines to ensure safety to the consumer since the consumer is not able to inspect the facilities themselves from production to table.

While the intention of a constitutional right to food has its merits, we need to look at the whole picture, including unintended consequences it can produce. If we lose the custom slaughterhouses who inspect slaughter and process for farmers in Maine, then we'll see a shortage of meat in our grocery store shelves and will also see our farms dwindle and our countryside planted with their final crops of houses, could lead to fewer sources of food available and, in essence, we could very well see an opposite effect of what this proposal has in mind to occur here in Maine.

On the side of our fishing and hunting traditions in Maine, I will agree this bill has language that states legal means must be followed in obtaining food, but who really determines if something is legal versus constitutional? In fact, our Statutes are unclear on the definition of poaching as referred to in this resolution. Maine's Department of Inland Fisheries and Wildlife in an email to the Agriculture, Conservation and Forestry Committee chairs, analyst, and sponsor of a similar bill in both the 127th and 129th Legislature, who is a Member of the other Body today, states; the language that states, quote, as long as an individual does not commit trespassing, theft, poaching, or other abuses of private property rights may create unintended consequences in that poaching isn't clearly defined in Statute and depending on interpretation could mean that a person could violate some fish and wildlife laws but not others in their pursuit of food. That came from, in full disclosure, from Christie Theriault from the Department of Inland Fisheries and Wildlife.

The Senator from Winthrop responded to this email stating that if this resolution to amend the Maine Constitution is passed by the Legislature with two-thirds vote and then ratified by the voters at the ballot box with a majority vote, the Legislature thereafter might simply update the Maine Revised Statutes where appropriate to define or further clarify the definition of poaching as the acquisition of food by hunting or fishing in violation of any applicable state or federal laws, rules, or regulations or some other way that makes the same point. We should be very careful when amending our constitution to get it right before relying on a future vote to fix the law.

If something is your right constitutionally, then it's possible that a statutory law could be fought in court as unconstitutional and therefore obsolete. So, although we have laws around hunting, recreational fishing and commercial fishing, if the courts determine that having a license to catch lobster off the coast of Maine is unconstitutional due to a right to food, then anyone could put traps out and catch any lobster they want. That would include the females that have the roe showing on the outside, the large and small lobsters that under current rules are to be thrown back to help the population continue to thrive, and they would instead possibly be kept. What would this do to our fishermen? What would it do to our lobster population? On hunting, who's to say the rules in place to protect our deer herd, for example, will be deemed constitutional anymore. If my family's hungry in the spring and I know there are many does in my woods behind or even on my property, why wouldn't I be able to harvest one in order to feed my family? I suppose Bambi did manage to survive after his mother was killed.

As I stated earlier, this bill has merits. It's well meaning. Food insecurity is an emotional issue to anyone in that situation. However, this is the wrong execution. Maine has a Right to Farm law and a Food Sovereignty law. We should work to

strengthen these for individuals who want to raise their own food and feed their families before we institute unintended consequences that would affect the ability of farms to provide for those who either do not want to grow or cannot grow their own food. This constitutional amendment could very well cause additional food insecurity rather than the intention to provide food security for the people of Maine.

Most of the language in this resolution actually came about due to my concerns on the AG committee in the 129th Legislature. The language around legal means was in direct response to my questions to this bill, I believe it was LD 795 in the 129th. In my first term, these concerns were not in place around hunting, fishing and farming protections. Experience has shown me that fighting in court takes time and although legal means must be followed in order to obtain food, a constitutional right does not necessarily care or accept statutory law.

In the 129th, I was actually told right to food is just like the Second Amendment, the right to keep and bear arms. I found it to be a bit of an absurd analogy because we all have the right to keep and bear arms but we do not have a right to arms. We do have a right to life and I do believe many of our statutory laws contradict this right. And in order to live, we do need three basic things; water, air and, of course, food. Therefore, the right to food is already addressed in our Constitution because we have a right to life.

Furthermore, the amendment that the committee put onto the language of the bill which has the right to food including the right to save instead of just the right to save, that first part, right to food, changes the entire meaning of the resolution. Although later language says as long as an individual does not commit trespassing, theft, poaching, or other abuses of private property rights, public lands, or natural resources in the harvesting, production, or acquisition of food, the interpretation of legal means of acquisition is left to the interpretation of the courts. If someone is hunting in order to feed their family outside the traditional hunting season because they have a right to food, they very well could be allowed to continue and this would be devastating to our natural rights under our hunting laws and is the biggest reason that the Department of Inland Fisheries and Wildlife was opposed to this bill. Please follow my light. Thank you.

The SPEAKER: The Chair recognizes the Representative from Oxford, Representative Dillingham.

Representative **DILLINGHAM**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I unequivocally believe inherent in our Right to Life, which is enshrined in our Constitution, is our right to produce our own food and nourishment. So, I rise in opposition to this constitutional amendment.

The intent of this amendment already exists within our Constitution and is further articulated in our Right to Farm Statute.

Previously, the Honorable Member from Winthrop brought this constitutional amendment to this Body in the 127th and the 129th Legislatures and my concerns still remain. This amendment, I fear, puts into conflict property rights, which enable our ability to grow our own food and establishes a new entitlement to the fruits of other peoples' labor.

First of all, the amendment seeks to protect property by asserting the right cannot be exercised if trespassing. However, here in Maine we rely on the good will of private landowners for a whole host of activities, from hunting to ATVing. Because we allow for general use unless the land is posted, this amendment will likely lead to an overall reduction in land access as Mainers seek to protect themselves from those using the Constitution of

Maine to assure the right to fiddleheads, wild mushrooms, wild game and other items on another person's property. It also states abuses of private property rights, public lands, or natural resources, but where is the term abuses defined? What abuses does this reference and who is to make that determination?

Second, intellectual property is protected but this amendment asserts that there is a right to save and share seeds. This is fine if they are your original seeds cultivated and developed by your work, but it is theft of those seeds if they are proprietary and developed through the scientific research and development costs of others. We aren't just talking about Monsanto here, but seed producers in our own State such as Johnny's Selected Seeds and our State's own potato seed program. These seeds are developed to be able to stand against pests and disease in our own environment and many are done to fall within organic guidelines.

Beyond these property right concerns is the assertion that there's an inalienable right to food. At first, it doesn't seem to be out of step if you have an inalienable right to life and food is essential to life. So, yes, you have an unalienable right to produce food, to labor to grow it or to buy it. But that isn't what this amendment says. It says you have the right to food, which includes the right to grow, raise, harvest, and produce but is not limited to just a right to grow, raise, harvest, and produce food, it is a right to food. The right to food inherent in the right to life is the right to produce food, the right to have the freedom to support yourself and family without the State telling you that you cannot grow, produce, or grow other animals for consumption. But this amendment isn't just an articulation of that inherent right but, again, rather, it asserts a right to food, period.

Other concerns around placing this in our Constitution is that it will supersede any local ordinances established. These are not ordinances put in place by some faceless government officials but ordinances voted on by your neighbors and citizens of your community. Many times, these ordinances are adopted due to constraints and our health concerns not only for the individual but their neighbors as well. This would place those municipalities in a position of litigation around their ordinances and placing unintended financial burden on them. Further, it would remove the Legislature from the process. Will the Legislature then not be able to set food and handling standards? Would we be turning all issues involving a right to food to the courts to set the allowable parameters and rulings around the issue? Who is responsible for ensuring this right to food is met? Are the taxpayers of Maine responsible? Is there a concern with a right to food as to what is the limiting principle? If taxpayers are responsible for providing this right to food and the amendment says the right includes consuming the food of their own choosing, are we establishing a constitutional amendment that asserts taxpayers are responsible for providing whatever kind of food an individual wants?

This language is so broad, we will be placing these challenges in the hands of the courts to interpret intent. If that challenge should happen next year, there will be an opportunity to share intent, but as the sponsor said, what happens if a challenge comes 10, 20 or more years from now? Will the intent be known?

The sponsor also referenced our right to bear arms but today we still debate intent and it continues to be challenged in court.

We all here agree that food is an essential part of life and all of us support programs and charities that provide food for those that are hungry and experiencing food insecurity and outright hunger. Further, I think most of us here agree that we have an inherent right to grow, raise, harvest, and produce our

own food from our own hard work on our own property, but this amendment isn't limited to just that and so, I encourage you to vote against this motion and if we find that our right to farm Statutes are not strong enough, then lets revisit the Maine Food Sovereignty Act to make sure the right to profit from the fruits of your own labor, inherent in our right to life, are better protected in our agricultural Statutes. I ask you to follow my light and thank you.

The SPEAKER: The Chair recognizes the Representative from Wilton, Representative Hall.

Representative HALL: Thank you, Mr. Speaker. We all have the right to food. That's already in our Constitution. It's under the Right to Happiness. And I'm not sure how the rest of you feel, but if I'm hungry, I'm not happy.

I'd like to echo the words of our Representative from Knox and the Representatives from Oxford. This bill has been brought up several legislative sessions before. In the 127th, the USDA stepped in to close down our custom processes. The Legislature had to come in in a special session to defeat this so that our custom slaughterhouses could stay in business.

I personally raise beef cattle on my farm. I don't want to have to process my own animals, I don't have the facilities to do that. If our custom slaughterhouses are closed down, I would not be able to sell my beef in the local market. Please don't jeopardize our food supply. Please vote no against this.

The SPEAKER: The Chair recognizes the Representative from East Machias, Representative Tuell.

Representative TUELL: Thank you, Mr. Speaker. I rise today in opposition to the pending motion.

I won't try to restate what the Representative from Knox so eloquently stated and what the Representative from Oxford so eloquently stated as well, but I will talk a little bit about a part of the Maine Constitution that has gone mostly ignored in this debate, and that's the Home Rule Authority.

Maine has a strong tradition of local control and local management. Our local officials are not totalitarian, they never have been, they're elected by our friends and neighbors, they're appointed by our friends and neighbors. So, whether they're a code enforcement officer or selectman or whatever the case may be, they are the people that we trust to run our communities each and every day. That system has worked magnificently for 200 years, it's the fabric and the backbone of our State. That's why the Home Rule Authority is protected in our Constitution. It's also why the Tenth Amendment is enshrined in our United States Constitution to preserve State's rights.

So, while I appreciate and understand many of the arguments for being able to grow your own food or have your own garden, things like that, I think a more appropriate venue for that, as others have said, would be legislation. And as one who supported the Food Sovereignty Act of years in the past as a Statute, I think that's probably the better way to go if folks want to revisit that, let's revisit it next session, it seems like there might be support for it.

I would wrap it up just by saying that by establishing this constitutional amendment, we could well be putting it at loggerheads with the Home Rule Authority and creating a constitutional crisis, a crisis which could land this whole thing in court and in the laps of lawyers and judges which don't fully understand or appreciate the intent of this Legislature or any other, and that is ultimately where it constitutionally is settled is the court system. We can have endless debates on it, but at the end of the day the courts are the ones who ultimately decide it.

So, opening that Pandora's Box is not a good thing, any more than it would be middling around and playing around with our fishing lobster zones that are in place today that were set up

with the Department of Marine Resources and fishermen. Imagine if fishermen had a right to fish anywhere they wanted to up and down the coast, what that might just do? And imagine if those with recreational licenses decided that five wasn't enough to feed my family, therefore I want 10 traps or 20 or 50 or 100. Imagine what that might do to the lobster fishing industry? I'm not saying it will happen, but it could well happen because these are big 10,000-foot goals with real-world consequences. I urge you all to vote Ought Not to Pass or vote against the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Warren, Representative Pluecker.

Representative **PLUECKER**: Thank you, Mr. Speaker. There's a lot of fear around the idea of us having the power to feed ourselves from our own land by our own hand without the interference of government, without the interference of the State government or the local municipalities, but I don't think that's something that we need to be afraid of. I think that when we have the right to feed ourselves, when we have the right to produce our own food without interference by the government, that is right for us as humans, that's right for us as Maine citizens. If we want to continue to create a class of people who need food given to them by the government, then we should vote against this because this bill provides the ability to produce our own food, to feed ourselves, to be dependent upon ourselves, to lift ourselves up by our own bootstraps.

Last night for dinner, I went out and I harvested some mint, some parsley, some mugwort, some chives, I mixed it with yogurt that came from our own cows, made in our own kitchen, and I fed it to my children on top of chicken that we harvested under our own maple tree. That's what this bill is about, it's about the right to produce and feed your children in a manner you see fit without interference from anybody about it.

This bill is not going to undermine our Home Rule Authority within the Constitution; it is about the right to do this without interference from a local government or from a state government. This is not about the right to farm, this is not about the food sovereignty, those bills are about how you produce food for sale. This bill is about producing food for your family.

This is not going to interfere with licensing on hunting or fishing. You can refer back to the sponsor who is a lobster fisherman. He's not going to introduce a bill which is going to abridge his right to make a living. That is not the heart of this bill. And if we believe in the ability of people to feed themselves from whatever walk of life they come from, then you would vote for this bill. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative O'Neil.

Representative **O'NEIL**: Thank you, Mr. Speaker. So, Mr. Speaker, I'll be brief. We've heard a lot of scary-sounding stuff today and I just want to start by saying that I support the sponsor's good work on this bill, it's very clearly a bipartisan issue and one that is, I think, really foundational to our culture here in Maine.

I want to note that this was a unanimous vote out of committee until a few folks reconsidered. We didn't have any clear and specific objections during the public hearing process, only a few kind of scary-sounding undefined specters, and we did quite a bit of work to address this. We had a great team of young lawyers doing research that researched both the poaching issues that were raised, they researched, you know, private property rights, and they also researched some of the objections that you've heard related to commercial activity, and they mapped it out in a really clear way that I think made sense intuitively but seeing it spelled out, there just wasn't a question.

So, I'll just say that control of the food system and sources of nutrition really is control of everything. It's about our nourishment, our health, cancer and illness rates, ways that we deplete our earth with unsustainable agriculture, and the freedom to grow food and engage in traditional just, you know, traditional ways of feeding and nourishing yourself. This is an individual right, it doesn't affect commercial activity. An individual right isn't taking away the ability for municipalities and the State to regulate. I think if you look to other individual rights, you'll see it doesn't wipe all law off the books, especially not laws that derive from the State's broad police power to provide for health, safety and welfare. That's just basic law. And Maine, I just want to note, we've been saying it's going to send everybody to court and cause all this problem. Maine is not a litigious state, we don't have extensive con law here in Maine, people aren't running to the courts with these kinds of constitutional cases. I think the big impact that it will have is it will protect policy as it's made by making kind of some guardrails and I like to think of it as a backstop that things can't go beneath.

So, I'll just close by saying that the sponsor's done a lot of great work on this, that we did have legal resources working to address everything that has been raised here, and food is foundational to life and food freedom is really the freedom to grow, prepare and consume food. So, this is about the abilities for individuals to feed themselves. So, thanks, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Oxford, Representative Dillingham.

Representative **DILLINGHAM**: Thank you, Mr. Speaker. I just wanted to respond to a couple of the previous speakers.

First, the Representative from Warren, I appreciate that he actually laid out in support of my statement that you already have the right to do so. So, I too, can harvest many of the same things already that he spoke of along with raising my chickens and many other things.

The previous speaker from Scarborough, mentioning that there haven't been any constitutional cases around this is because we don't have it in our constitution. So, we can't have that conversation about whether there's going to be these challenges. And my comments weren't based in fear, my comments were based in speaking with the Maine Municipal Association, who absolutely believes this is going to cause problems with their ordinances and it is going to put their members in a place where they are going to have to litigate some of the ordinances that we have existing in places such as Lewiston, Auburn, and Portland, to name a few, in congested areas when you get into raising farm life, whether it's in a very small outdoor area or within a building in those areas. So, they do have strong concerns there and then there's also concerns from the Maine Veterinary Association that goes to parameters around breeding, handling of our animals, and right now that lies with the State, the ability to set those standards and now is that going to be in conflict with something that we're going to put in our Constitution.

And so, these are questions, they're not fears, and this is why I refer to this as just being very broadly written, that it's not specific enough to answer those questions. Whether they had lawyers talk about it in committee, those questions were still not answered for these people who are in opposition of this piece of legislation. Thank you very much.

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

ROLL CALL NO. 51

YEA - Alley, Andrews, Arford, Austin, Babbidge, Bell, Bernard, Berry, Blier, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carmichael, Cloutier, Collamore, Collings, Connor, Corey, Crafts, Craven, Crockett, Cuddy, Dodge, Doudera, Drinkwater, Ducharme, Dunphy, Evangelos, Evans, Faulkingham, Fay, Fecteau, Geiger, Gere, Gramlich, Greenwood, Grohoski, Harnett, Hasenus, Hepler, Hutchins, Kessler, Landry, Lemelin, Libby, Lookner, Madigan, Martin J, Martin R, Mason, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Moriarty, Newman, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry, Pierce, Pluecker, Poirier, Prescott, Quint, Reckitt, Rielly, Riseman, Roberts, Roeder, Rudnicki, Sachs, Salisbury, Sampson, Sharpe, Sheehan, Skolfield, Stanley, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Thorne, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Arata, Bickford, Bradstreet, Carlow, Cebra, Copeland, Costain, Dillingham, Dolloff, Downes, Foster, Gifford, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hymanson, Javner, Johansen, Kinney, Kryzak, Lyford, Lyman, Millett, Morris, Nadeau, O'Connor, Ordway, Parry, Perkins, Pickett, Roche, Stearns, Stetkis, Theriault, Tuell, Underwood, Wadsworth, White.

ABSENT - Bailey, Doore, Grignon, Martin, Morales, Perry.
Yes, 104; No, 41; Absent, 6; Excused, 0.

104 having voted in the affirmative and 41 voted in the negative, with 6 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolution was **READ ONCE**. **Committee Amendment "A" (H-124)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules, the Resolution was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-124)** and sent for concurrence.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-123)** on Resolve, Directing the Department of Agriculture, Conservation and Forestry To Study Alternative Cropping Systems for Farmers Affected by Perfluoroalkyl and Polyfluoroalkyl Substances Contamination

(H.P. 403) (L.D. 558)

Signed:
Senators:

DILL of Penobscot
BLACK of Franklin
MAXMIN of Lincoln

Representatives:

O'NEIL of Saco
BERNARD of Caribou
GIFFORD of Lincoln
HALL of Wilton
LANDRY of Farmington
McCREA of Fort Fairfield
OSHER of Orono
PLUECKER of Warren
SKOLFIELD of Weld

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

Signed:

Representative:

UNDERWOOD of Presque Isle

READ.

On motion of Representative O'NEIL of Saco, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-123)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-123)** and sent for concurrence.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-121)** on Bill "An Act To Establish a Working Farmland Access and Protection Program within the Department of Agriculture, Conservation and Forestry and a Working Farmland Access and Protection Fund within the Land for Maine's Future Program" (EMERGENCY)

(H.P. 413) (L.D. 568)

Signed:

Senators:

DILL of Penobscot
BLACK of Franklin
MAXMIN of Lincoln

Representatives:

O'NEIL of Saco
BERNARD of Caribou
GIFFORD of Lincoln
HALL of Wilton
LANDRY of Farmington
McCREA of Fort Fairfield
OSHER of Orono
PLUECKER of Warren
SKOLFIELD of Weld

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

Signed:

Representative:

UNDERWOOD of Presque Isle

READ.

On motion of Representative O'NEIL of Saco, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-121)** 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-121)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass** on Bill "An Act To Increase Government Accountability by Removing the Restriction on the Dissemination of Information Regarding Investigations"

(H.P. 650) (L.D. 894)

Signed:

Senators:

DESCHAMBAULT of York
LAWRENCE of York

Representatives:

WARREN of Hallowell
COSTAIN of Plymouth
LOOKNER of Portland
MORALES of South Portland
NEWMAN of Belgrade
PICKETT of Dixfield
PLUECKER of Warren
RECKITT of South Portland
SHARPE of Durham

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

Signed:

Senator:

CYRWAY of Kennebec

Representative:

RUDNICKI of Fairfield

READ.

Representative WARREN of Hallowell moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

Representative DILLINGHAM of Oxford **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**: 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. 52

YEA - Alley, Andrews, Arford, Babbidge, Bell, Berry, Bickford, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Landry, Libby, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, Newman, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry A, Perry J, Pickett, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Skolfield, Stover, Supica, Sylvestor, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Arata, Austin, Bernard, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Lyford, Lyman, Mason, Millett, Morris, Nadeau, O'Connor, Ordway, Parry, Perkins, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Stanley,

Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Bailey, Doore, Grignon, Martin, McCreight.

Yes, 87; No, 59; Absent, 5; Excused, 0.

87 having voted in the affirmative and 59 voted in the negative, with 5 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.

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

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-119)** on Bill "An Act To Discontinue the Use of the SAT in Maine Schools"

(H.P. 193) (L.D. 277)

Signed:

Senators:

RAFFERTY of York
DAUGHTRY of Cumberland

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
McCREA of Fort Fairfield
MILLETT of Cape Elizabeth
SALISBURY of Westbrook

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

Signed:

Senator:

WOODSOME of York

Representatives:

LYMAN of Livermore Falls
ROCHE of Wells
SAMPSON of Alfred
STEARNS of Guilford

READ.

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

Representative STEARNS of Guilford **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** 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 Guilford, Representative Stearns.

Representative **STEARNS**: Thank you, Mr. Speaker. Our caucus has reservations about this bill and not particularly all for the same reason but for several reasons.

First of all, in our opinion, the bill is unnecessary as it is not the function of the Legislature to determine what federally-

mandated state test is used. It's a function of the Department of Education. And it appears that that decision is well underway even though we have not yet heard of what the final product will be.

Many in our caucus feel that the process to switch was not particularly transparent, which I can speak to back in the day when the SAT was adopted as the State test, there were the same complaints from some local school units. Many members of our caucus feel that the value-added component of the SAT will be lost and by that I mean the SAT, even though some colleges have gone away from the use of the SAT, some still find value in that and the local school units in some of our caucus feel that their local school unit has gotten parents and students to buy into the fact that if they give it a shot and take that SAT, at least there's the possibility of some value in presenting that in their portfolio to get into college.

And, lastly, it probably has nothing to do with the bill today but I believe that this is indicative of the overreach of the federal government who really, if you think about it, they're asking people with the diversity of the State of Maine to select one instrument to indicate academic success for our students and, in my opinion, that's ridiculous. Thank you.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Reckitt.

Representative **RECKITT**: Thank you, Mr. Speaker. I rise unexpectedly today, having not noticed that this bill had been in process. But frankly, this bill has been in process in my mind for decades.

When I lived in Washington, D.C. briefly, I worked to try to get the SAT overturned as an instrument because of its gender disparities, its racial disparities, and it's just the crazy way that they were trying to evaluate students. And I think that we are in a much better position to evaluate in Maine what might be a good measure, if anything, that could be done in a consolidated way, I'm not sure that can be. What I do know is that the SAT, I believe, is a gender-biased and racial-biased test and has been for decades and I'm glad to see that this bill is before us and I intend to vote for it. Thank you.

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

Representative **BRENNAN**: Thank you, Mr. Speaker and I would like to reiterate and concur with the Representative from South Portland. There is a significant amount of evidence that the SAT discriminates based on gender, based on race and based on income.

Currently, in the State of Maine, we employed the SAT in 2005 as part of No Child Left Behind. The Department of Education has chosen to seek a new assessment process for students in the State of Maine and all this bill says is that the SAT will not be used as an instrument to assess student performance academically. It doesn't prevent a local school district from assessing the SAT if they have a sufficient number of students that want to take it in order to apply for college.

But it should be pointed out that the SAT has proven to be a very poor indicator in terms of student success in college and that's why increasingly, not only in the State of Maine where the University of Maine system is not requiring the SAT anymore in application, but a significant portion of universities across the country and private colleges are no longer using the SAT because of its poor predictability.

So, I would urge Members of the House to support the pending motion.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Fecteau.

Representative **FECTEAU**: Thank you, Mr. Speaker. I've gone back and forth a little bit on this bill but I do rise in support of this measure.

As a former public-school teacher, I realized that an incredible amount of time is spent on the SAT and the PSAT and the PSSSAT and when they're doing it back to middle school. And it's a horrible metric, it's a garbage metric for high schools to use for response to intervention and how our children are doing. It's used by the four-year college industrial complex on how they might perform at the next level and so, currently, so many school resources are being used to use this test and it is not helping any of our instruction or helping make our kids more prepared by the time they leave 12th grade. Thank you.

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

ROLL CALL NO. 53

YEA - Alley, Arford, Babbidge, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazza, Cardone, Cloutier, Collings, Copeland, Corey, Crafts, Craven, Crockett, Cuddy, Dodge, Dolloff, Doudera, Dunphy, Evangelos, Evans, Faulkingham, Fay, Fecteau, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, Nadeau, O'Connell, O'Neil, Osher, Paulhus, Peabworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Underwood, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Costain, Dillingham, Downes, Drinkwater, Ducharme, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Wadsworth, White.

ABSENT - Bailey, Doore, Grignon, Kinney, Martin, McCreight.

Yes, 87; No, 58; Absent, 6; Excused, 0.

87 having voted in the affirmative and 58 voted in the negative, with 6 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-119) 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-119)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-132)** on Bill "An Act To Address Student Achievement Gaps"

(H.P. 197) (L.D. 281)

Signed:

Senators:

RAFFERTY of York
DAUGHTRY of Cumberland

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
McCREA of Fort Fairfield
MILLETT of Cape Elizabeth
SALISBURY of Westbrook

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

Signed:

Senator:

WOODSOME of York

Representatives:

LYMAN of Livermore Falls
ROCHE of Wells
SAMPSON of Alfred
STEARNS of Guilford

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-132)** 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-132)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Authorize Lifetime Teaching Certificates"

(H.P. 230) (L.D. 326)

Signed:

Senators:

RAFFERTY of York
DAUGHTRY of Cumberland

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
McCREA of Fort Fairfield
MILLETT of Cape Elizabeth
SALISBURY of Westbrook

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-101)** on same Bill.

Signed:

Representatives:

LYMAN of Livermore Falls
ROCHE of Wells
SAMPSON of Alfred
STEARNS of Guilford

READ.

On motion of Representative BRENNAN of Portland, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-159)** on Resolve, To Require the Department of Education To Form a Family Income Data Collection Working Group

(H.P. 260) (L.D. 362)

Signed:

Senators:

RAFFERTY of York
DAUGHTRY of Cumberland

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
McCREA of Fort Fairfield
MILLETT of Cape Elizabeth
SALISBURY of Westbrook

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

Signed:

Senator:

WOODSOME of York

Representatives:

LYMAN of Livermore Falls
ROCHE of Wells
SAMPSON of Alfred
STEARNS of Guilford

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-159)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-159)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-122)** on Bill "An Act To Create New Models of Maine Manufacturing Employment and Education"

(H.P. 378) (L.D. 515)

Signed:

Senators:

RAFFERTY of York
DAUGHTRY of Cumberland
WOODSOME of York

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
McCREA of Fort Fairfield
MILLETT of Cape Elizabeth
ROCHE of Wells
SALISBURY of Westbrook

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

Signed:

Representatives:

LYMAN of Livermore Falls
SAMPSON of Alfred
STEARNS of Guilford

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-122)** 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-122)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Resolve, Directing the Department of Education To Review Career and Technical Education Courses and Provide Guidance on High School Credit Equivalencies

(H.P. 379) (L.D. 516)

Signed:

Senators:

RAFFERTY of York
WOODSOME of York

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
LYMAN of Livermore Falls
McCREA of Fort Fairfield
MILLETT of Cape Elizabeth
SALISBURY of Westbrook
SAMPSON of Alfred
STEARNS of Guilford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-158)** on same Resolve.

Signed:

Representative:

ROCHE of Wells

READ.

On motion of Representative BRENNAN of Portland, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-111)** on Bill "An Act To Promote Accountability in Maine's Charter Schools"

(H.P. 440) (L.D. 604)

Signed:

Senators:

RAFFERTY of York
DAUGHTRY of Cumberland

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
McCREA of Fort Fairfield
MILLETT of Cape Elizabeth
SALISBURY of Westbrook

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

Signed:

Senator:

WOODSOME of York

Representatives:

LYMAN of Livermore Falls
ROCHE of Wells
SAMPSON of Alfred
STEARNS of Guilford

READ.

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

Representative STEARNS of Guilford **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** 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 Guilford, Representative Stearns.

Representative **STEARNS**: Thank you, Mr. Speaker. As a former administrator in a public school, as we've seen the charter schools come into Maine, I've been really watching that with a critical eye and I use that as to set the stage of my following remarks and that is as we took a good look at the accountability pieces with the charter schools in Maine it became very apparent to me, we discovered through our committee work that achievement measures, student achievement measures in the charter schools are posted, they're well-documented, anybody can take a look at them and the same thing with all the financial data. At first, I didn't think it

was available but as we looked at that, all of their financial data is right there for anyone to examine and certainly you can get any questions answered through the charter commission. So, I would urge to vote Ought Not to Pass. Thank you.

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

Representative **BRENNAN**: Thank you, Mr. Speaker. I would just remind the House to look at the amended report from the committee and what this bill does is simply ask the Department of Education and consult with MEPRI to look at how other states fund charter schools and how other states provide accountability and reporting features for charter schools. So, this simply provides a report back to the education committee in January.

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

ROLL CALL NO. 54

YEA - Alley, Arford, Babbidge, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCreia, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry A, Perry J, Pierce, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Pluecker, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Bailey, Bickford, Doore, Grignon, Martin.

Yes, 81; No, 65; Absent, 5; Excused, 0.

81 having voted in the affirmative and 65 voted in the negative, with 5 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-111) 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-111)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-116)** on Bill "An Act To Direct the Department of Education To Establish a Working Group To Determine Best Practices and Accountability Standards for School Boards To Manage the Performance of Superintendents"

(H.P. 474) (L.D. 643)

Signed:

Senators:

RAFFERTY of York
DAUGHTRY of Cumberland
WOODSOME of York

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
LYMAN of Livermore Falls
McCREA of Fort Fairfield
MILLETT of Cape Elizabeth
SALISBURY of Westbrook
STEARNS of Guilford

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

Signed:

Representatives:

ROCHE of Wells
SAMPSON of Alfred

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-116) 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-116)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-120)** on Bill "An Act To Require at Least a 30-minute Lunch Period for Students"

(H.P. 482) (L.D. 655)

Signed:

Senator:

RAFFERTY of York

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
McCREA of Fort Fairfield
MILLETT of Cape Elizabeth
SALISBURY of Westbrook

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

Signed:

Senator:

WOODSOME of York

Representatives:

LYMAN of Livermore Falls
ROCHE of Wells
STEARNS of Guilford

READ.

On motion of Representative BRENNAN of Portland, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**. The Bill was **READ ONCE**. **Committee Amendment "A" (H-120)** 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-120)** and sent for concurrence.

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

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-115)** on Bill "An Act Regarding the Duties of School Boards Pursuant to the Laws Governing Attendance at Elementary and Secondary Schools" (H.P. 779) (L.D. 1050)

Signed:

Senators:

RAFFERTY of York
DAUGHTRY of Cumberland
WOODSOME of York

Representatives:

BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
LYMAN of Livermore Falls
McCREA of Fort Fairfield
MILLETT of Cape Elizabeth
ROCHE of Wells
SALISBURY of Westbrook
STEARNS of Guilford

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

Signed:

Representative:

SAMPSON of Alfred

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-115)** 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-115)** and sent for concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act To Create Synergy between Maine Industry and Maine's Energy Goals in the Use of Certain Funds by the Efficiency Maine Trust"

(H.P. 494) (L.D. 667)

Signed:

Senator:

VITELLI of Sagadahoc

Representatives:

BERRY of Bowdoinham
CUDDY of Winterport
GROHOSKI of Ellsworth
WOOD of Portland
ZEIGLER of Montville

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-142)** on same Bill.

Signed:

Senator:

STEWART of Aroostook

Representatives:

CARLOW of Buxton
FOSTER of Dexter
KESSLER of South Portland
WADSWORTH of Hiram

READ.

On motion of Representative BRENNAN of Portland, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-133)** on Bill "An Act To Require Joint Use Entities To Establish Permanent Liaisons with All County Emergency Management Agencies"

(H.P. 746) (L.D. 1008)

Signed:

Senators:

LAWRENCE of York
STEWART of Aroostook
VITELLI of Sagadahoc

Representatives:

BERRY of Bowdoinham
CARLOW of Buxton
CUDDY of Winterport
GROHOSKI of Ellsworth
KESSLER of South Portland
WADSWORTH of Hiram
WOOD of Portland
ZEIGLER of Montville

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Representative:

FOSTER of Dexter

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-133)** 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-133)** and sent for concurrence.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-137)** on Bill "An Act To Define Intentional Balloon Releases as Litter" (H.P. 761) (L.D. 1023)

Signed:

Senators:

BRENNER of Cumberland
BENNETT of Oxford
CARNEY of Cumberland

Representatives:

TUCKER of Brunswick
BELL of Yarmouth
BLUME of York
DOUDERA of Camden
GRAMLICH of Old Orchard Beach
ZEIGLER of Montville

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

Signed:

Representatives:

HANLEY of Pittston
JOHANSEN of Monticello
O'CONNOR of Berwick
TUELL of East Machias

READ.

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

Representative McDONALD of Stonington **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** 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 Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Mr. Speaker. First of all, Ladies and Gentlemen of the House, I want to make it clear that releasing balloons into the atmosphere and letting them float away is highly inappropriate. I don't condone it and don't wish to see it happen. However, this piece of legislation is the wrong approach. You're criminalizing something that should be an education issue. Had we been simply had a piece of legislation requiring an education component, that would've been a much better process. But now we have in this legislation it will be a crime, a civil penalty for \$100 up to \$500 for the intentional release of a single balloon. So, when my 7-year-old granddaughter goes out and she's got a balloon in her hand with a cat's name on it and let's go of it, it is possible for her to be subject to a civil fine. And how are we going to enforce this? The law also says that you have to prove intent and the Good Representative from Brunswick explained in committee that a policeman can find you or can summons you for rolling through a stop sign but he doesn't have to prove intent. With this piece of legislation, all law enforcement will have to prove intent. In other words, my 7-year-old granddaughter when the SWAT

team interviews her will have to prove that she intended to do this.

So, I ask you to show a little just clarity on this and let's look for legislation that educates instead of criminalizes. And, again, I do agree with the premise that we don't want to release the balloons, I have no issue with that, but this was not the vehicle to use to do that. So, thank you, Mr. Speaker, and I ask you to follow my vote and defeat the pending motion.

The SPEAKER: The Chair recognizes the Representative from Stonington, Representative McDonald.

Representative **McDONALD**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Data from the U.S. Fish and Wildlife Service shows that land-based animals, marine animals, and animals that fly are all equally likely to mistake balloons for food and then either eat it, choke on it or get fatally entangled in the attached ribbon or string. Balloons are not digestible and are the number one killer of seabirds. You may have seen that some balloons are labeled biodegradable. While balloons with the biodegradable label may indeed break down over time, the year's long process allows ample opportunity for these balloons to cause damage.

In addition to being detrimental to marine life, balloons are a hazard to commercial fishing vessels. Sucking a balloon into your intake, overheating or possibly blowing a motor will lead to a very bad day. In 2019, similar legislation passed in Rhode Island where, just as in Maine, commercial fishermen advocated for the passage of the bill. Balloons can travel long distances by air and in our waterways and are the most common source of plastic pollution commercial fishermen in New England encounter in our ocean and along our coasts.

I am a mom to twin toddlers. I know the anguish that occurs when a balloon slips from a child's grasp. LD 1023 does not outlaw balloons and may not prevent the occasional release, but it will stop organized events from releasing balloons into the air and sends a clear message to Mainers that intentional balloon releases are damaging.

Common sense dictates that what goes up must come down. It is time to define intentional balloon releases as an act of littering. Thank you and I ask that you please follow my light.

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

ROLL CALL NO. 55

YEA - Arford, Babbidge, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Corey, Crafts, Craven, Crockett, Cuddy, Dodge, Doudera, Dunphy, Evans, Fay, FecteauR, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Kryzak, Landry, Lookner, Madigan, MartinJ, MartinR, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, MillettR, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, PerryA, PerryJ, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roche, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, WarrenC, WarrenS, WhiteB, Williams, Wood, Zager, Zeigler.

NAY - Alley, Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Evangelos, Faulkingham, FecteauJ, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Lemelin, Libby, Lyford, Lyman, MasonR, MillettH, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint,

Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, WhiteD.

ABSENT - Bailey, Doore, Grignon, MartinT.

Yes, 83; No, 64; Absent, 4; Excused, 0.

83 having voted in the affirmative and 64 voted in the negative, with 4 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-137)** 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-137)** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Amend the Laws Governing Tobacco Specialty Stores" (H.P. 460) (L.D. 624)

Signed:

Senators:

CLAXTON of Androscoggin
BALDACCI of Penobscot

Representatives:

MEYER of Eliot
CRAVEN of Lewiston
MADIGAN of Waterville
PERRY of Calais
STOVER of Boothbay
ZAGER of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-108)** on same Bill.

Signed:

Senator:

MOORE of Washington

Representatives:

CONNOR of Lewiston
GRIFFIN of Levant
JAVNER of Chester
LEMELIN of Chelsea

READ.

On motion of Representative MEYER of Eliot, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Allow Lemonade Stands and Other Food and Nonalcoholic Beverage Sales by Minors" (H.P. 905) (L.D. 1234)

Signed:

Senators:

CLAXTON of Androscoggin
MOORE of Washington

Representatives:

MEYER of Eliot
CRAVEN of Lewiston
GRIFFIN of Levant
LEMELIN of Chelsea
MADIGAN of Waterville
PERRY of Calais
STOVER of Boothbay
ZAGER of Portland

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Senator:

BALDACCI of Penobscot

Representatives:

CONNOR of Lewiston
JAVNER of Chester

READ.

On motion of Representative MEYER of Eliot, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Increase Hospital Bed Capacity by Eliminating the Certificate of Need for Outside Hospital Beds" (H.P. 687) (L.D. 931)

Signed:

Senators:

SANBORN of Cumberland
BRENNER of Cumberland

Representatives:

TEPLER of Topsham
ARFORD of Brunswick
BROOKS of Lewiston
EVANS of Dover-Foxcroft
MATHIESON of Kittery
MELARAGNO of Auburn

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-180)** on same Bill.

Signed:

Senator:

STEWART of Aroostook

Representatives:

BLIER of Buxton
CONNOR of Lewiston
MORRIS of Turner
QUINT of Hodgdon

READ.

On motion of Representative TEPLER of Topsham, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Increase Hospital Capacity by Eliminating the Certificate of Need for Hospital Beds"

(H.P. 688) (L.D. 932)

Signed:

Senators:

SANBORN of Cumberland
BRENNER of Cumberland

Representatives:

TEPLER of Topsham
ARFORD of Brunswick
BROOKS of Lewiston
EVANS of Dover-Foxcroft
MATHIESON of Kittery
MELARAGNO of Auburn

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Senator:

STEWART of Aroostook

Representatives:

BLIER of Buxton
CONNOR of Lewiston
MORRIS of Turner
QUINT of Hodgdon

READ.

On motion of Representative TEPLER of Topsham, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Increase the Ability of Health Care Facilities To Respond to Health Needs by Eliminating the Certificate of Need for Health Care Facilities"

(H.P. 691) (L.D. 935)

Signed:

Senators:

SANBORN of Cumberland
BRENNER of Cumberland

Representatives:

TEPLER of Topsham
ARFORD of Brunswick
BROOKS of Lewiston
EVANS of Dover-Foxcroft
MATHIESON of Kittery
MELARAGNO of Auburn

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-179)** on same Bill.

Signed:

Senator:

STEWART of Aroostook

Representatives:

BLIER of Buxton
CONNOR of Lewiston
MORRIS of Turner
QUINT of Hodgdon

READ.

On motion of Representative TEPLER of Topsham, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Ensure Access to Health Care Equipment by Eliminating the Certificate of Need for Major Medical Equipment"

(H.P. 742) (L.D. 1004)

Signed:

Senators:

SANBORN of Cumberland
BRENNER of Cumberland

Representatives:

TEPLER of Topsham
ARFORD of Brunswick
BROOKS of Lewiston
EVANS of Dover-Foxcroft
MATHIESON of Kittery
MELARAGNO of Auburn

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-183)** on same Bill.

Signed:

Senator:

STEWART of Aroostook

Representatives:

BLIER of Buxton
CONNOR of Lewiston
MORRIS of Turner
QUINT of Hodgdon

READ.

Representative TEPLER of Topsham moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative MORRIS of Turner **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not 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 Auburn, Representative Libby.

Representative **LIBBY**: Thank you, Mr. Speaker. I rise in opposition to the pending motion.

Certificate of Need, or CON, is a regulatory program requiring health care providers to obtain State approval prior to making changes in the health care landscape. The purpose is to verify that there is, indeed, a need for that particular service or facility in that community. The public, including competitors, are allowed to weigh in during the process. Maine has the highest CON applications in the country, as high as a quarter of a million dollars, and that doesn't include attorney fees.

This bill deals with the small section of the Maine CON law related to major medical equipment purchases. The theory behind the original CON laws was that by restricting the supply of health care facilities and services, you could control costs and increase access to care. Since 1986, however, in a rare admission of policy failure, the federal government has encouraged the repeal of CON laws, stating that, on balance, CON programs are not successful in containing health care costs and they pose serious anti-competitive risks that usually outweigh their purported economic benefits.

Over the intervening years, many states have amended or outright repealed their CON laws. There are many studies that have looked at the difference in spending in CON states and those without CON laws and in 2018 the Journal of Public Health published a study that estimated CON laws lead to a statistically significant 3.1% increase in total spending. That study concluded that rather than decreasing health care spending as intended, it appears that CON laws actually increase it.

The evidence to date suggests that CON laws are frequently costly barriers to entry for health care providers rather than successful tools for controlling costs or improving health care quality. Based on that evidence and their enforcement experience, the two federal anti-trust agencies, the Federal Trade Commission and the Anti-Trust Division of the Justice Department, have long suggested that states should repeal or retrench their CON laws.

What can we learn from states that have repealed their CON laws? There is a substantial body of research documenting racial and ethnic disparities in access to medical care. These persistent disparities are well-recognized by both policymakers and clinicians as a serious health problem in need of correction. In 1996, New Jersey passed legislation that reformed its CON process regarding diagnostic cardiac catheterization services. In a 2009 study published in the Journal of Health Politics, Policy and Law, it was found that the expanded capacity increased cardiac angiography utilization overall and did so more rapidly for the black population. Using data from 1995 to 2004, the study found that expanded capacity increased cardiac angiography utilization overall and did so more rapidly for black people, leading to a large reduction in the disparity. However, this reduction was not attributable to services provided by new entrants to the cardiac angiography market since they were located in mostly white suburban areas. Instead, the new entrants cut into the incumbent's share of white cardiac angiography patients who had previously traveled from the suburbs to receive the procedure at inner-city incumbent hospitals. As a result, it appears that incumbents were forced to serve more black patients in their local area to maintain their cardiac angiography volume.

These findings suggest that prior restrictions on cardiac angiography capacity contributed to the historical disparity in access to the procedure. It turns out what some refer to as limiting duplication of health care services is more correctly termed rationing of health care services leading to racial disparities in who receives critical services. Please follow my light and vote against this motion, thus taking a first step toward expanding access to health care at lower costs and reducing racial disparities in health care in our State.

The SPEAKER: The Chair recognizes the Representative Topsham, Representative Tepler.

Representative **TEPLER**: Thank you, Mr. Speaker. I'm flattered at being mistaken for Representative Dodge.

Mr. Speaker, the Certificate of Need laws in Maine are working quite well and in fact, they're absolutely essential for the protection of our full-service hospitals. We have hospitals that

provide charity care. That is, they provide care to people who are indigent or who simply don't have health insurance. If these hospitals have units that move in close to them that can cream only insured patients from the population of people utilizing their services, then their ability to balance their bottom line becomes nil.

The Certificate of Need law in Maine protects our hospitals given our laws around charity care and is extremely important in Maine to help continue the practice of providing care for Mainers who cannot afford insurance or otherwise cover their health care costs. Thank you very much.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 56

YEA - Alley, Arford, Babbidge, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Dodge, Doudera, Dunphy, Evans, Fay, FecteauR, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenus, Hepler, Hymanson, Kessler, Lookner, Madigan, MartinJ, MartinR, Mathieson, Matlack, McCrea, McDonald, Melaragno, Meyer, MillettR, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, PerryA, PerryJ, Pierce, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, WarrenC, WhiteB, Williams, Wood, Zager, Zeigler.

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Evangelos, Faulkingham, FecteauJ, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyford, Lyman, MasonR, MillettH, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Pickett, Pluecker, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, WarrenS, WhiteD.

ABSENT - Bailey, Cuddy, Doore, Grignon, Haggan, MartinT, McCreight, Perkins.

Yes, 76; No, 67; Absent, 8; Excused, 0.

76 having voted in the affirmative and 67 voted in the negative, with 8 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

**CONSENT CALENDAR
First Day**

In accordance with House Rule 519, the following item appeared on the Consent Calendar for the First Day:

(S.P. 552) (L.D. 1697) Bill "An Act To Establish a Homeowner Assistance Fund Program and Provide for the Distribution of Funds" (EMERGENCY) Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-103)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the Senate Paper was **PASSED TO BE ENGROSSED as Amended** in concurrence.

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-178)** on Bill "An Act To Improve Fairness in Auto Insurance Claims"

(H.P. 854) (L.D. 1176)

Signed:

Senators:

SANBORN of Cumberland
BRENNER of Cumberland

Representatives:

TEPLER of Topsham
ARFORD of Brunswick
BLIER of Buxton
BROOKS of Lewiston
EVANS of Dover-Foxcroft
MATHIESON of Kittery
MELARAGNO of Auburn
QUINT of Hodgdon

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

Signed:

Senator:

STEWART of Aroostook

Representatives:

CONNOR of Lewiston
MORRIS of Turner

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-178)** 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-178)** and sent for concurrence.

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought Not to Pass** on Bill "An Act To Allow Deer Baiting by Hunters"

(H.P. 321) (L.D. 445)

Signed:

Senators:

DILL of Penobscot
BLACK of Franklin
CURRY of Waldo

Representatives:

LANDRY of Farmington
HEPLER of Woolwich
MARTIN of Eagle Lake
MARTIN of Sinclair
NADEAU of Winslow
ORDWAY of Standish

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-113)** on same Bill.

Signed:

Representatives:

ALLEY of Beals
LYFORD of Eddington
MASON of Lisbon
THERIAULT of China

READ.

On motion of Representative LANDRY of Farmington, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought Not to Pass** on Bill "An Act To Lower the Youth Hunting Age"

(H.P. 493) (L.D. 666)

Signed:

Senators:

DILL of Penobscot
BLACK of Franklin
CURRY of Waldo

Representatives:

LANDRY of Farmington
ALLEY of Beals
HEPLER of Woolwich
MARTIN of Sinclair
MASON of Lisbon
NADEAU of Winslow
THERIAULT of China

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Representatives:

MARTIN of Eagle Lake
ORDWAY of Standish

READ.

On motion of Representative LANDRY of Farmington, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought Not to Pass** on Bill "An Act To Promote Hunting by Persons with Disabilities" (H.P. 777) (L.D. 1048)

Signed:

Senators:

DILL of Penobscot
BLACK of Franklin

Representatives:

LANDRY of Farmington
HEPLER of Woolwich
LYFORD of Eddington
MARTIN of Eagle Lake
MARTIN of Sinclair
MASON of Lisbon
NADEAU of Winslow
ORDWAY of Standish
THERIAULT of China

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-145)** on same Bill.

Signed:

Representative:

ALLEY of Beals

READ.

On motion of Representative LANDRY of Farmington, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

On motion of Representative ROBERTS of South Berwick, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-176)** on Bill "An Act To Extend Time Limits for Placing Land in Trust Status under the Maine Indian Claims Settlement" (H.P. 115) (L.D. 159)

Signed:

Senators:

CARNEY of Cumberland
KEIM of Oxford
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner
EVANGELOS of Friendship
LIBBY of Auburn
MORIARTY of Cumberland
NEWELL of the Passamaquoddy Tribe
POIRIER of Skowhegan
RECKITT of South Portland
SHEEHAN of Biddeford
THORNE of Carmel

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-177)** on same Bill.

Signed:

Representative:

BABBIDGE of Kennebunk

READ.

On motion of Representative HARNETT of Gardiner, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**. The Bill was **READ ONCE**. **Committee Amendment "A" (H-176)** 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-176)** and sent for concurrence.

Majority Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought Not to Pass** on Bill "An Act To Allow Reciprocity for Licensed Workers from Out of State" (EMERGENCY) (H.P. 809) (L.D. 1131)

Signed:

Senators:

CURRY of Waldo
CYRWAY of Kennebec
LUCHINI of Hancock

Representatives:

ROBERTS of South Berwick
AUSTIN of Gray
BAILEY of Gorham
BERNARD of Caribou
COLLAMORE of Pittsfield
DUCHARME of Madison
GEIGER of Rockland
HASENFUS of Readfield
PEBWORTH of Blue Hill

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-143)** on same Bill.

Signed:

Representative:

ANDREWS of Paris

READ.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-149)** on Bill "An Act To Update the Maine Parentage Act" (H.P. 157) (L.D. 222)

Signed:

Senators:

CARNEY of Cumberland
KEIM of Oxford
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner
BABBIDGE of Kennebunk
EVANGELOS of Friendship
HAGGAN of Hampden
MORIARTY of Cumberland
NEWELL of the Passamaquoddy Tribe
POIRIER of Skowhegan
RECKITT of South Portland
SHEEHAN of Biddeford
THORNE of Carmel

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

Signed:

Representative:

LIBBY of Auburn

READ.

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

On motion of Representative DILLINGHAM of Oxford **TABLED** pending the motion of Representative HARNETT of Gardiner to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass** on Bill "An Act To Ensure the Safety of Certain State Employees by Allowing Disclosure of Certain Confidential Information in Limited Circumstances"

(H.P. 571) (L.D. 766)

Signed:

Senators:

CARNEY of Cumberland
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner
BABBIDGE of Kennebunk
EVANGELOS of Friendship
MORIARTY of Cumberland
NEWELL of the Passamaquoddy Tribe
RECKITT of South Portland
SHEEHAN of Biddeford

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

Signed:

Senator:

KEIM of Oxford

Representatives:

HAGGAN of Hampden
LIBBY of Auburn
POIRIER of Skowhegan
THORNE of Carmel

READ.

Representative HARNETT of Gardiner moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

Representative THORNE of Carmel **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 Carmel, Representative Thorne.

Representative **THORNE**: Thank you, Mr. Speaker and Fellow Legislators of the 130th Legislature.

This bill seeks to amend the Child and Family Services and Child Protection Act as it relates to the release of confidential information. It would allow the Department of Health and Human Services to release in certain circumstances confidential records to social media companies.

Trying to protect our children and keep their protective workers, judges, guardians and other officers of the court is important. These individuals deal with some of the worst aspects of our society and protect the lives of untold numbers of children. Working to protect those individuals is honorable and well-intentioned. However, there are major problems with the way in which this bill tries to do that.

To start, it threatens against an individual or against terms of use of every single social media platform I'm aware of. Things are regularly flagged or reported, accounts, groups, pages and posts are deleted. If these companies are somehow failing to remove threatening posts directed at the office of Children and Family Services workers, they are in direct violation of their terms of service, I fail to see why we should trust them with our confidential records. Who views these records? How they are stored and managed is not addressed. And yet we would hand them over with essentially nothing more than a note saying please don't disclose.

We have seen numerous data leaks from social media companies in recent years but the punishment they might face for intentionally or unintentionally releasing these records is not addressed. It also fails to fundamentally understand how social media works and any action taken by the department under the provisions of this bill would likely take days to initiate and complete and there is no guarantee the entity will even agree to remove the material. Meanwhile, new accounts are deleted and created, posts shared and screenshots taken. What happens when a different profile posts the same information next week, feeling all the more sure of their dubious claims against the Department of Health and Human Services because of their attempts to silence them? Nothing. We start the process over again and again and again.

Maine's laws against terrorizing, criminal threatening, stalking and harassment should protect not only these individuals but anyone from this type of online threat. Criminal action should be taken against individuals threatening the wellbeing of the people we rely on to protect Maine's most vulnerable children. But turning over private records to tech companies in the hopes that they will follow their own rules in the future is not the correct approach. I ask you all to follow my light in voting against the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Gardiner, Representative Harnett.

Representative **HARNETT**: Thank you, Mr. Speaker. I brought this bill on behalf of the Department of Health and Human Services Office of Child and Family Services after hearing about employees who were being threatened online, employees whose home addresses and contact information were being posted online, employees whose children's name were placed online and judges threatened with bodily harm. The department attempted to work with social media companies to try to get these threatening and intimidating posts taken down with no success because the social media platform said without

some proof as to what case this is connected to, we're not going to take those down.

This bill does not allow the department to release confidential information on its own. This bill allows the department to go to court to prove, one, that they are serious threats and intimidation being posted online at department employees, assistant attorney generals, guardians ad litem, and officers of the court. Then and only then, when a court determines what confidential information can be released will that information be released and it will be narrowly tailored to obtain the relief sought from the social media platforms. Further dissemination of that information by the social media platforms would be not only illegal, it would be the violation of a court order. There is a way to address social media not following through on the requirement that the records be kept confidential.

The department said that it's having difficulty obtaining and retaining workers in this department in the OCFS because those workers are afraid. They're afraid for their safety and they're afraid for their children's safety and the safety of their loved ones. The department wants to make sure that those workers feel safe, valued and respected and, most of all, supported. I would ask you to please accept the motion Ought to Pass. Thank you.

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. 57

YEA - Alley, Arford, Babbidge, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Corey, Crafts, Craven, Crockett, Cuddy, Dodge, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett H, Millett R, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Bailey, Costain, Doore, Grignon, Haggan, Martin, Perkins.

Yes, 84; No, 60; Absent, 7; Excused, 0.

84 having voted in the affirmative and 60 voted in the negative, with 7 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.

CONSENT CALENDAR

First Day

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(S.P. 33) (L.D. 25) Bill "An Act To Modify the Qualifications for Resident Dentist Licensure" (EMERGENCY) Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass**

(S.P. 206) (L.D. 820) Resolve, To Convene a Working Group To Develop Plans To Protect Maine's Agricultural Lands When Siting Solar Arrays Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass**

(S.P. 365) (L.D. 1104) Bill "An Act To Increase the Time for Which a Temporary Motor Vehicle Registration Plate Is Valid" Committee on **TRANSPORTATION** reporting **Ought to Pass**

(S.P. 502) (L.D. 1560) Resolve, Authorizing the State To Convey to the Passamaquoddy Tribe the State's Interest in a Certain Parcel of Land in the Town of Meddybemps Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass**

(S.P. 60) (L.D. 127) Resolve, To Establish a Pilot Program To Provide Grants for Professional Development in Computer Science Instruction (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-64)**

(S.P. 114) (L.D. 265) Bill "An Act To Provide Women Access to Affordable Postpartum Care" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-86)**

(S.P. 160) (L.D. 374) Bill "An Act To Allow Veterans, Active Duty Service Members and Their Spouses To Apply for Temporary Occupational Licenses and Certifications" Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-82)**

(S.P. 164) (L.D. 376) Resolve, To Increase Certain Chiropractic Reimbursement Rates under the MaineCare Program Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-76)**

(S.P. 200) (L.D. 492) Bill "An Act To Create a Regional Grant Program To Help Rural Businesses Find Qualified Staff" Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-74)**

(S.P. 232) (L.D. 595) Resolve, To Ensure That Access to Oral and Facial Ambulatory Surgical Centers in Maine Remains Viable (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-91)**

(S.P. 244) (L.D. 630) Bill "An Act To Prohibit Shelf-stable Products from Being Sold as Cider and To Amend the Definition for Those Products That Are Heated" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-90)**

(S.P. 249) (L.D. 635) Bill "An Act To Repeal the Requirement To Obtain a Permit before Hunting with a Noise Suppression Device" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-83)**

(S.P. 323) (L.D. 1028) Bill "An Act To Ease Business Expansion by Increasing the Number and Applicability of Permit Exemptions under the Site Location of Development Laws" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-89)**

(S.P. 337) (L.D. 1069) Bill "An Act To Provide Program Solvency, Clarity, Consistency and Flexibility in Routine Public Health Licensing Activities" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-77)**

(S.P. 352) (L.D. 1091) Bill "An Act To Improve the Long-term Outcomes for Youth Transitioning from State Care by Raising the Upper Age Limit for Voluntary Support Eligibility" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-78)**

(S.P. 362) (L.D. 1101) Bill "An Act To Expand the 1998 Special Retirement Plan To Include Civilian Employees Who Work for the Department of Public Safety Crime Lab and Computer Crimes Unit" Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-85)**

(S.P. 513) (L.D. 1620) Bill "An Act To Support Maine Theaters by Expanding Eligibility for Off-premises Catering Licenses" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-87)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the Senate Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** in concurrence.

(S.P. 205) (L.D. 522) Bill "An Act To Cap Interest Rates for Consumer Debt" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-65)**

On motion of Representative DUNPHY of Old Town, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

On further motion of the same Representative, **TABLED** pending **ACCEPTANCE** of the Committee Report and later today assigned.

(S.P. 306) (L.D. 954) Bill "An Act To Provide Equal Access to the Benefits of the Maine Food Sovereignty Act" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-88)**

On motion of Representative DUNPHY of Old Town, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

On further motion of the same Representative, **TABLED** pending **ACCEPTANCE** of the Committee Report and later today assigned.

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **JUDICIARY** reporting **Refer to the Committee on State and Local Government** on Bill "An Act To Facilitate Compliance with Federal Immigration Law by State and Local Government Entities"

(H.P. 1012) (L.D. 1378)

Signed:

Senators:

CARNEY of Cumberland
KEIM of Oxford
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner
BABBIDGE of Kennebunk
HAGGAN of Hampden
LIBBY of Auburn
MORIARTY of Cumberland
NEWELL of the Passamaquoddy Tribe
POIRIER of Skowhegan
RECKITT of South Portland
SHEEHAN of Biddeford
THORNE of Carmel

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

Signed:

Representative:

EVANGELOS of Friendship

READ.

On motion of Representative HARNETT of Gardiner, the Majority **Refer to the Committee on State and Local Government** Report was **ACCEPTED**.

Subsequently, the Bill was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and sent for concurrence.

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

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-140)** on Bill "An Act To Require Coverage for Female Firefighters Facing Reproductive System Cancer"

(H.P. 148) (L.D. 213)

Signed:

Senators:

RAFFERTY of York
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
CUDDY of Winterport
GERE of Kennebunkport
PEBworth of Blue Hill
PRESCOTT of Waterboro
ROEDER of Bangor
WARREN of Scarborough

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

Signed:
Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
MORRIS of Turner

READ.

On motion of Representative SYLVESTER of Portland, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-175)** on Bill "An Act To Strengthen the Ability of Public Employers and Unions To Negotiate"

(H.P. 325) (L.D. 449)

Signed:
Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
CUDDY of Winterport
GERE of Kennebunkport
PEBworth of Blue Hill
ROEDER of Bangor
WARREN of Scarborough

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

Signed:
Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
MORRIS of Turner
PRESCOTT of Waterboro

READ.

On motion of Representative SYLVESTER of Portland, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

SENATE PAPERS

Bill "An Act To Amend the Laws Prohibiting Teachers, Employees and Other Officials from Engaging in Sexual Activity with Students"

(S.P. 549) (L.D. 1715)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in concurrence.

Bill "An Act To Protect the Private Information of Maine Residents"

(S.P. 535) (L.D. 1714)

Came from the Senate, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed.

On motion of ROBERTS of South Berwick, the Bill was **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in **NON-CONCURRENCE** and sent for concurrence.

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

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative McCreight, who wishes to address the House on the record.

Representative **McCREIGHT**: Is this an appropriate time to talk about votes I missed?

The SPEAKER: The Chair would advise in the affirmative. Representative **McCREIGHT**: I'd like to have the record show that on LD 277, Roll Call 53; had I been present, I would have voted yes. LD 894, Roll Call 52; had I been present, I would have voted yes. LD 1004, Roll Call 56; had I been present, I would have voted yes.

The Chair laid before the House the following item which was **TABLED** earlier in today's session:

HOUSE DIVIDED REPORT-Majority (12) **Ought to Pass as Amended by Committee Amendment "A" (H-149)**-Minority (1) **Ought Not to Pass**-Committee on **JUDICIARY** on Bill "An Act To Update the Maine Parentage Act"

(H.P. 157) (L.D. 222)

Which was **TABLED** by Representative DILLINGHAM of Oxford pending the motion of HARNETT of Gardiner to **ACCEPT** the Majority as Amended Report.

Representative LIBBY of Auburn **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** 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 Auburn, Representative Libby.

Representative **LIBBY**: Thank you, Mr. Speaker. This bill will remove due process and place an undue burden on town clerks to verify and oversee a legal family unit being created with no verification required. Further, there are no safeguards in place to prevent child trafficking.

The current process takes these considerations into account and it provides a roadmap that follows due process to

create a legal family unit. I ask you to follow my light and vote against the pending motion.

The SPEAKER: The Chair recognizes the Representative from Gardiner, Representative Harnett.

Representative **HARNETT**: Thank you very much, Mr. Speaker, and I will speak briefly to this bill.

This bill amends the Maine Parentage Act to include two provisions that are part of the Uniform Parentage Act adopted by the Uniform Law Commission in 2017. Actually, as amended, it only has one part of that in it. The bill amends the acknowledgment of paternity provision to broaden the process to be an acknowledgement of parentage and allows intended parents participating in assisted reproduction as well as presumed parents to sign an acknowledgement of parentage.

This bill was developed by the Family Law Advisory Committee at the request of the Judiciary Committee and they've been working on it for over three years. This is a group that includes practitioners in the legal field of Family Law as well as representatives of the Judicial Department and the Office of the Attorney General. There was absolutely no testimony in opposition to this bill. There were concerns raised by some of our colleagues on the other side of the aisle and we amended the bill in substantial ways to address those concerns and I would just point out, as the report indicates, we must've satisfied those concerns as the final vote was 13 to 1. I ask the House to please support the report of the Majority. Thank you.

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

ROLL CALL NO. 58

YEA - Alley, Arford, Babbidge, Bell, Berry, Bickford, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Corey, Crafts, Craven, Crockett, Cuddy, Dodge, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hepler, Hymanson, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCreia, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Parry, Paulhus, Peberworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roche, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Head, Hutchins, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Perkins, Pickett, Poirier, Prescott, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth.

ABSENT - Bailey, Cebra, Doore, Grignon, Haggan, Harrington, Hasenbus, Javner, Martin, Ordway, Perry, White.

Yes, 84; No, 55; Absent, 12; Excused, 0.

84 having voted in the affirmative and 55 voted in the negative, with 12 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-149)** 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-149)** and sent for concurrence.

**REPORTS OF COMMITTEE
Divided Reports**

The following items were taken up out of order by unanimous consent:

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act To Give the State the Sole Authority To Establish a Minimum Wage and Hazard Pay with Certain Exceptions"

(H.P. 331) (L.D. 455)

Signed:

Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
CUDDY of Winterport
GERE of Kennebunkport
PEBWORTH of Blue Hill
ROEDER of Bangor
WARREN of Scarborough

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
MORRIS of Turner
PRESCOTT of Waterboro

READ.

On motion of Representative SYLVESTER of Portland, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-118)** on Bill "An Act To Support E-9-1-1 Dispatchers and Corrections Officers Diagnosed with Post-traumatic Stress Disorder"

(H.P. 343) (L.D. 467)

Signed:

Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
CUDDY of Winterport
GERE of Kennebunkport
PEBWORTH of Blue Hill
ROEDER of Bangor
WARREN of Scarborough

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro

DRINKWATER of Milford

MORRIS of Turner

PRESCOTT of Waterboro

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-118)** 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-118)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-104)** on Bill "An Act To Ensure Safety across Maine's Construction Industry"

(H.P. 345) (L.D. 469)

Signed:

Senators:

HICKMAN of Kennebec

MIRAMANT of Knox

Representatives:

SYLVESTER of Portland

CUDDY of Winterport

GERE of Kennebunkport

PEBWORTH of Blue Hill

ROEDER of Bangor

WARREN of Scarborough

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro

DRINKWATER of Milford

MORRIS of Turner

PRESCOTT of Waterboro

READ.

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

Representative DRINKWATER of Milford **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** 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 Milford, Representative Drinkwater.

Representative **DRINKWATER**: Thank you, Mr. Speaker. This bill requires all public work contracts to take OSHA-10 training.

Now, nobody in here believes that training is a bad thing, it's a good thing. The testimony we heard was that this is public works State contracts and that it's a good thing, but it does not apply to the private sector. If it's such a good thing, why doesn't it apply to everybody? All the private contractors I talked to, they already require this of their supervisors. But under this bill, and we had a company that hires flaggers, it's even going to require the flaggers to take this safety training.

The summary of the original bill said contracts over \$50,000 and the Good Representative from the Fighting Islands of Casco Bay, Representative Sylvester, he amended the bill and nowhere in there do I see that there's a dollar amount associated with it. So, I've concluded that any public works project, no matter of the cost, will require OSHA-10 training. Thank you, Mr. Speaker.

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

Representative **SYLVESTER**: Thank you, Mr. Speaker, and I appreciate the Good Representative's comments.

This is a very simple OSHA-10 training. It's literally a 10 hour training and on a construction site safety is often a symphony with moving parts going one into each other. Every person on that site affects the safety of every other person on that site. Most states have at least an OSHA-10, many have an OSHA-30, which is a 30-hour training. Maine is an outlier in that and that brings us into compliance with safety with most other states. Thank you, Mr. Speaker.

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

ROLL CALL NO. 59

YEA - Alley, Arford, Babbidge, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Neil, Osher, Paulhus, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Head, Hutchins, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connell, O'Connor, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth.

ABSENT - Bailey, Cebra, Doore, Grignon, Haggan, Harrington, Javner, Martin, Ordway, Perry, White.

Yes, 79; No, 61; Absent, 11; Excused, 0.

79 having voted in the affirmative and 61 voted in the negative, with 11 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-104)** 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-104)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act To Provide That the Minimum Wage Increases by the Cost of Living Every 3 Years"

(H.P. 388) (L.D. 543)

Signed:

Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
CUDDY of Winterport
GERE of Kennebunkport
PEBworth of Blue Hill
PRESCOTT of Waterboro
ROEDER of Bangor
WARREN of Scarborough

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-174)** on same Bill.

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
MORRIS of Turner

READ.

On motion of Representative SYLVESTER of Portland, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-127)** on Resolve, To Expedite Processing of Applications for Certification under the Federal Work Opportunity Tax Credit

(H.P. 424) (L.D. 581)

Signed:

Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
CUDDY of Winterport
GERE of Kennebunkport
PEBworth of Blue Hill
ROEDER of Bangor

WARREN of Scarborough

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
MORRIS of Turner
PRESCOTT of Waterboro

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-127)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-127)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-173)** on Resolve, To Develop a Plan for Teachers To Collect Social Security

(H.P. 456) (L.D. 620)

Signed:

Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
CUDDY of Winterport
PEBworth of Blue Hill
ROEDER of Bangor
WARREN of Scarborough

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
MORRIS of Turner
PRESCOTT of Waterboro

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-173)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-173)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-135)** on Bill "An Act To Set a Minimum Wage for School Support Staff"

(H.P. 539) (L.D. 734)

Signed:

Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
GERE of Kennebunkport
PEBWORTH of Blue Hill
PRESCOTT of Waterboro
ROEDER of Bangor
WARREN of Scarborough

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
CUDDY of Winterport
DRINKWATER of Milford

READ.

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

Representative BRADSTREET of Vassalboro **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** 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 Vassalboro, Representative Bradstreet.

Representative **BRADSTREET**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the pending motion. This would raise the starting minimum wage starting June 30, 2022 for school support staff to \$16 an hour. The State would pay the first year of this on a one-time basis, after that it would be foisted upon the locality so, in effect, it is an unfunded mandate.

Also, can you imagine if you're in a small community and your school staff is making \$16 an hour and the people in the community who have to pay that are not making that? Are we going to start picking out special groups for a higher minimum wage? This is not the way to go. I urge you to vote against this bill. Thank you.

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

Representative **SYLVESTER**: Thank you, Mr. Speaker. I appreciate all the comments of the good Representative. I think that one of the pieces that's missing in this, as this particular group, if we're going to talk about picking groups, is a group that affects every child in this State. They are a group of people who

should be considered educators, who affect the lives of children as they come to school, who work tirelessly to make sure that the school functions and the kids can get the education that they need. But, more importantly, they make financial sacrifices to do this work because they love it. And the people who do this work could get other jobs but they are so important and integral to the roles of our educational system that they stay. It's time we reward those people, it's time that we ensure that we get the best people in those positions and that they stay and make a career. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Milton, Representative Dolloff.

Representative **DOLLOFF**: Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think it's important for support staff to get a good wage, anybody to get a good wage. What scares me about this one is that the State will pay the first year and you know these people will get raises after, they'll be in contracts and they'll get raises, and then it becomes the responsibility of the taxpayers to fund this in their school budget and my district has a very hard time coming up with the money that they need. Their school budgets get voted down and voted down until they cut it down. So, we're going to vote on this and make it a mandate and tell our school systems you're okay the first year but the second year, they've got to put it in their budget. So, it's not just today, it's the future. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from East Machias, Representative Tuell.

Representative **TUELL**: Thank you, Mr. Speaker. I also rise in opposition to the pending motion.

Coming from a small town where a lot of my friends are school support staff employees, as the Representative from Portland noted, they work incredibly hard and a lot of hours. They do it because they love the work. But also in many small towns, there are a lot of vacancies in school support staff positions. They're always trying to fill a vacancy, they're begging for workers, they're offering incentives to get people to come to work just to walk through the door. And I know we're seeing that in every industry these days and there's no shortage of reasons why, don't really plan to go off on a tangent there, but with the job market the way it is today, I question whether this is even really necessary. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Milford, Representative Drinkwater.

Representative **DRINKWATER**: Thank you, Mr. Speaker. During the 129th, I served on the Education Committee and before us came the minimum wage of teachers at \$40,000. We asked for information to show us what the scales were around the State. As you know that every school is its own collective bargaining unit and what we saw was that, I'll use an example; a teacher in northern Maine that had been with the school for 10 years is only making \$32,000. So, if we start the new teachers out at 40, it's going to upset the whole pay scale. What if that person making that money going to say that have been here for 10 years, what are they going to say I'm worth?

So, that's what we found was this is a local issue, collective bargaining agreements. And I'd like to pose a question through the Chair, if I may.

The SPEAKER: The Member may proceed.

Representative **DRINKWATER**: The State will pick up the first year. Isn't this an unfunded mandate?

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

Representative **SYLVESTER**: Thank you, Mr. Speaker. Technically, it is not an unfunded mandate because OPLA has looked at it and has not put a mandate on it since this year the State is picking up the funding, in this budget cycle that is funded.

I would note for the Good Representative that we voted this morning for full revenue sharing and in the change package there is also a full funding for the schools for first time ever and that we do not know how many school support staff are under \$16 an hour and one of the pieces of this bill is to pick up that information so that towns will be able to assess and be able to plan for the future. So, I appreciate the question and that is the answer.

The **SPEAKER**: The Chair recognizes the Representative from Milford, Representative Drinkwater.

Representative **DRINKWATER**: Thank you, Mr. Speaker. So, what I just heard was that let's pass this bill then we'll find out what it's going to cost us. Thank you, sir.

The **SPEAKER**: The Chair recognizes the Representative from Dexter, Representative Foster.

Representative **FOSTER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this measure.

There are a few reasons that I would speak to here. You've already heard a couple. There's no question this is an unfunded mandate after the first year. Also, this is certainly a local control issue. And, lastly, this is the epitome of the two Maines situation that we have. Towns in my district, in District 104, where I represent, their schools cannot afford the same funding for their employees that schools in Southern Maine, in the Portland District area can. That's a fact of life in Maine.

The districts that I represent, including SAD 46, Dexter, where I was a school board member for 12 years, Chair of the negotiations committee for about eight of that, where I led the negotiations because we couldn't afford to hire a lawyer to do so, we looked at each of our employees, what the taxpayers could afford, and how best to try to fill the positions that we needed filled. And that's the way this should remain, this is an unfunded mandate telling districts who cannot afford this wage for support staff, which covers quite an array of individuals, at least it did in our district. They cannot afford this mandate.

Thank you, Mr. Speaker.

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

Representative **UNDERWOOD**: Good afternoon, folks. I hope everybody enjoyed themselves had a lunch; good lunch, right?

My name is Joseph Underwood. I am from Presque Isle and District 147 and it is time for this Legislature, the 130th or maybe the 131st to address the issue of the educational industry that's monopolized by the State. And we should be considering, first of all, rejecting this bill and, second of all, we all should be considering an alternative to the state-regulated monopoly called the educational industry. And vouchers would be a good way to go. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Portland, Representative Collings.

Representative **COLLINGS**: Good afternoon, Mr. Speaker, Ladies and Gentlemen of the House. Real briefly here, I want to hopefully conclude on this matter by saying some of the people that asked this bill to be submitted work in schools and there are many rural schools that have a problem to keep support staff.

There's been an instance where there has been a lack of bus drivers or other staff that have, in essence, school couldn't

go on that day because they didn't have enough support staff. So, when we look at our education system in Maine as was referenced earlier by other Representatives, we did recently bring the floor for salaries of teachers to \$40,000 over a couple years and by us doing so, we still remained in the bottom third in this country for teacher pay. So, even though we moved up, most of the other states did, so, we are still at a disadvantage with other states to hire teachers and it's a big issue, among many others, to attract teachers in our school system here in Maine.

With that said, I was one of the people advocating for raising teacher salaries, rightfully so. There were some arguments that it was an unfunded mandate and we shouldn't do it. Nonetheless, we did, and I think we even need to raise their salaries more. But what was left out of that equation when we raised the basic salary for teachers, we forgot about the other people working in that building. Right now, many of these people making minimum wage can make in a year about \$25,000 a year if they work 40 hours a week for 52 weeks. And what's happening is many of these people are leaving because they just can't afford to survive on this salary. And these people are just as important as teachers; the people driving the buses, the cooks, the support staff in the classrooms, everyone that works in that building is valuable to our students and play such a big role in their everyday life. I can think back when I was a student, some of the people that had the biggest impact on me were the bus drivers, the custodians, the assistants for the principal. So, they play such a great role in shaping the future of our children and they deserve a raise just as much as teachers do. They should be able to work with dignity and not live in poverty.

We're not going to be able to hire people, some schools aren't going to be able to operate if we don't have enough support staff, and I just will close by saying, Mr. Speaker, MIT took U.S. data in Maine from the Department of Labor, Health and Human Services, from other governmental entities. They calculated anywhere in the State of Maine, any municipality, Aroostook County, Cumberland, everywhere. The basic living wage in this State to afford the most basic quality of life is about \$15 an hour. So people right now anywhere in Maine that are only making \$12.15 an hour and they're with our kids every single day and they can barely afford to pay their bills, I think that's an issue and I think as State leaders we need to recognize and thank these dedicated public servants that play such a great role in educating and raising our children five days a week for most of the year. So, I would hope that we would vote the Majority on this and thank you for your consideration.

The **SPEAKER**: The Chair recognizes the Representative from Auburn, Representative Bickford.

Representative **BICKFORD**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, school employees are very important, but they're not any more important than parents. Why are we picking up one special group and offering them higher wages that are going to not only affect cost of goods sold because as wages go up, cost of goods go up, your groceries go up, your gas goes up, everything goes up.

The people that can't afford this are the people on Social Security that see their property taxes rise and that see all of this additional cost of goods when they do groceries, when they get gas, when they go to the hardware store. These people, many of them are parents and many of them were parents of small children and they are absolutely as important or more important than school staff and I am insulted to think that school staff is

more important than I was with my four children. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Standish, Representative Ordway.

Representative **ORDWAY**: Thank you, Mr. Speaker, my Colleagues in the House. Where are we going to stop this? For the first time, I'm going to get to say I'm retired, on a fixed income with a State pension, \$17,500 a year. It's not going to change. What do you expect me to do? What do you expect the thousands of seniors to do? Meme and Pepe are getting taxed out of their homes. This has to stop. We can't afford this. Please take into consideration the people that have to pay for this. Thank you.

The SPEAKER: The Chair recognizes the Representative from Buxton, Representative Blier.

Representative **BLIER**: Thank you, Mr. Speaker. So, I heard the Good Representative from Portland talk about teachers, how we raised their wages and other local areas did as well. You have to let the working market work.

When you force mandated raises, all you do is kick the can down the road. If you are a school district and you can't find employees, you've got to raise your wages in order to get the employees. Let the market work itself. When you mandate raises, the people above them will say look, they're making so much so we should make more now and all you do is create inflation. That's where we're at right now and a business sense says that's where we're going. Mandates for wages are bad for the people. I think that letting the market run itself is what is going to control the proper wages for the people that are working in all communities and all walks of life on every industry.

The SPEAKER: The Chair recognizes the Representative from Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I find it odd that the Legislature negotiates wages for a really specific group of people. How come you're not concerned about the grocery clerks and the people that stock the shelves in your grocery stores? Gas station attendants? Mechanics? How come this Body isn't negotiating their wages as well? I find it very peculiar and very unfair, very selective. It's almost like you're trying to influence how people will think about you later on in life, say when you go to run for office --

The SPEAKER: The Member will defer. The Chair will advise the Member that we are not to question the motives of other Members in this Body during the course of debate.

The Chair reminded Representative **HANLEY** of Pittston that it was inappropriate to question the motives of other members of the House.

The SPEAKER: The Member may proceed.

Representative **HANLEY**: You're correct, I'm sorry. Well, you get my point. It seems odd that this Body is negotiating for wages for only a specific group of people and leaving all these other groups I'm trying to mention behind; taxi drivers, truck drivers, the people that deliver fuel oil or gas. How come this Body doesn't negotiate their wages? And I'll wait for an answer. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Oakland, Representative Perkins.

Representative **PERKINS**: Mr. Speaker and Ladies and Gentlemen of the House, I'd just like to tell you something just food for thought. I actually am a school bus driver, I'm actually the safety director for RSU 18 in Oakland. So, the other day we were talking about how we're running short of bus drivers. So, we've actually gone ahead without the Body and gone and asked the superintendent to see if we could higher the wages.

So, in Oakland, I know my highest bus drivers are making \$18.75 an hour. I don't know too many bus drivers across the State that aren't making at least 18, 20, 25 or more. So, I don't believe the House should mandate something like this.

Furthermore, I know that Fairfield takes and they're working with the bus drivers and making them in janitors and doing other grounds and weeds and seeds around the school district and they're paying them more.

So, I want once again to reiterate what all my fellow gentlemen and ladies over here have said; I don't believe this is our position or our hot dog stand to sell the hot dogs. Thank you, sir.

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

Representative **THORNE**: Thank you, Mr. Speaker and I would just remind everybody of the short words; just because we can, doesn't mean we should. Thank you.

The SPEAKER: The Chair recognizes the Representative from Monticello, Representative Johansen.

Representative **JOHANSEN**: Thank you, Mr. Speaker. I'm rising today to answer Representative Hanley's question about how come it's one special group. And speaking only for myself, I have to pay back the huge amounts that I got from the unions to help me with my campaign, and I'm only speaking for myself, I'm not trying to diminish anybody else here. But I owe a huge debt to the unions and I'm repaying it today.

The SPEAKER: The Chair recognizes the Representative from Cape Elizabeth, Representative Millett.

Representative **MILLETT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I served on the Education Committee for nine years and nearly every year we have been asked by school districts for help. We've been asked by superintendents and school boards for help. We've had bills put before us to try to solve this issue over and over again. What is before us today is one way that we can come forward and offer assistance to our schools, to our children and, yes, to our families. In the end, this is about equity. This is about making sure that every child in this State has access to their public education and that one district doesn't shut down school on their children while other districts keep their doors open that day. That's what this is about. And, frankly, not so long ago, we were thanking these men and women --

The SPEAKER: The Member will defer. The Chair recognizes the Representative from Canaan, Representative Stetkis.

Representative **STETKIS**: I was under the understanding comments should be directed to the Chair.

The SPEAKER: The Chair will remind Members to direct their comments through the Chair.

On **POINT OF ORDER**, Representative **STETKIS** of Canaan asked the Chair to remind **MILLETT** of Cape Elizabeth to address the Speaker and not turn to the rest of the House.

The Chair reminded the Representative from Cape Elizabeth Representative **MILLETT** of Cape Elizabeth to address her comments toward the Speaker.

The SPEAKER: The Member may proceed.

Representative **MILLETT**: Thank you, Mr. Speaker. Not so long ago, we were honoring and thanking these men and women for their service to our communities, to drive food to our children, to prepare that food to our children in the face of personal risk. I'll end there. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Penobscot, Representative Hutchins.

Representative **HUTCHINS**: Thank you, Mr. Speaker and Ladies and Gentlemen of the House. When we ask questions about education process in the committees, and especially Education Committee, we keep getting the answer that education is local control and it doesn't seem to matter what the question is, it's education is local control and the decisions are made at the local level by the school boards. Today alone I'll bet we have voted on six issues that we are telling school districts what to do. One way or the other, either we're doing it and they're not and we should stop saying that it's local control because it sure doesn't look it from what we're doing today.

The **SPEAKER**: The Chair recognizes the Representative from South Portland, Representative Reckitt.

Representative **RECKITT**: Thank you, Mr. Speaker. I had no intention of testifying on this bill but it seems to me that's my refrain today. I have a daughter who works as a teacher's aide in the town of Guilford. She's been laid off twice this year because of COVID exposure in the school but not given any pay during that. She's a single mom with three kids and a divorce with no child support. So, how is she making it on \$400 a week? Partly because I pay her oil bills and I'm working on Social Security and this legislative salary and everyone here knows what that is, which is bupkis.

So, my point is each of us has a connection, if we found it quick enough, between someone who's working at a low wage in the schools and I can't tell my daughter that she can live on \$400 a week, so, I'm living on less than my legislative salary so that she can make it with three kids. And I think that is not a singular experience in the school systems. Teacher's aides are paid badly, as is everybody else who is not that the teachers are paid great, but at least there is a floor. There's not necessarily a floor at all for the subsidiary people who are working in the schools and whose roles are just as important.

So, I plead with you not to think about this in a narrow way. Think about your own family, think about your own kids, think about who works where in your life because all of them have to make it, all of them had to raise us, all of them are having to raise their own kids. And we're not talking about a fortune here, we're talking about \$40 more a week if they're working for 40 hours a week. That's not a fortune. I appreciate your consideration and I hope that you will vote in favor of this measure.

The **SPEAKER**: The Chair recognizes the Representative from Dixfield, Representative Pickett.

Representative **PICKETT**: Thank you, Mr. Speaker. I rise in opposition to the motion on the floor. I look at this, I have a good many friends that work in the school districts that work these jobs that this increase in pay would benefit. But I look at it this way as well and I think many of those friends would agree with me on this. They also are suppressed with the taxes that they're paying each and every year and every time we put in a spending bill into our budget here in the State, it's another tax that they have to pay, a portion of tax they have to pay, we had a speaker before that mentioned how the schools are asking for help. Well, the taxpayer is helping for help as well. They're drowning and they need to have some relief.

And so, I would just say this is a good-intended bill but the timing is not right. We have spending out of control in our federal government and we've got spending out of control, in my opinion, here in our own State government and we've got to put the brakes on and keep our taxpayers so that they can keep their head above water and take care of their families without having to have two people working every day and having no time to spend with their families. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Bangor, Representative Roeder.

Representative **ROEDER**: Thank you, Mr. Speaker. I rise in support of this bill. I'm the parent of a child who accesses special education services. When he first came to live with me, he came as a foster placement. He had significant issues in school that all but disappeared in a short month because of a crew of dedicated ed techs. Moreover, his transition to a big new school in a brand-new town was eased by the care extended to him by his bus driver, of all people. My son's life changed because of these folks who deserve a living wage.

My mother was also a teacher's aide. I remember her spending hours at our kitchen table because she was told that in a short week a student would be coming to her class who spoke nothing but Spanish. She worked for two weeks to learn as much Spanish as she could so that that child would feel heard, accepted and at home in her classroom. This is not an anomaly. These people work harder than so many people I've seen in my lifetime. I am forever grateful to them and to say that they don't deserve a living wage is cruel. Thank you.

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

ROLL CALL NO. 60

YEA - Arford, Babbidge, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Craven, Crockett, Dodge, Doudera, Dunphy, Evangelos, Evans, Geiger, Gere, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCreia, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Alley, Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Crafts, Cuddy, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fay, Fecteau, Foster, Gifford, Gramlich, Greenwood, Griffin, Grohoski, Hall, Hanley, Harrington, Head, Hutchins, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White B, White D.

ABSENT - Bailey, Doore, Grignon, Haggan, Javner, Martin, Perry.

Yes, 73; No, 71; Absent, 7; Excused, 0.

73 having voted in the affirmative and 71 voted in the negative, with 7 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-135) 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-135)** and sent for concurrence.

ENACTORS

Emergency Measure

An Act To Support Maine Theaters by Expanding Eligibility for Off-premises Catering Licenses

(S.P. 513) (L.D. 1620)
(C. "A" S-87)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 104 voted in favor of the same and 28 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Establish a Homeowner Assistance Fund Program and Provide for the Distribution of Funds

(S.P. 552) (L.D. 1697)
(C. "A" S-103)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 104 voted in favor of the same and 20 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Provide Allocations for the Administration of State Fiscal Recovery Funds

(H.P. 1263) (L.D. 1700)
(C. "A" H-184)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 104 voted in favor of the same and 24 against, 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**.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-172)** on Bill "An Act To Assist Public School Students and Families Who Are Homeless"

(H.P. 578) (L.D. 773)

Signed:
Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
CUDDY of Winterport
GERE of Kennebunkport
PEBORTH of Blue Hill
ROEDER of Bangor
WARREN of Scarborough

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

Signed:
Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
MORRIS of Turner
PRESCOTT of Waterboro

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-172)** 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-172)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act To Promote Minimum Wage Consistency"

(H.P. 579) (L.D. 774)

Signed:
Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
CUDDY of Winterport
GERE of Kennebunkport
PEBORTH of Blue Hill
ROEDER of Bangor
WARREN of Scarborough

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:
Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
MORRIS of Turner
PRESCOTT of Waterboro

READ.

Representative SYLVESTER of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative MORRIS of Turner **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not 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 Turner, Representative Morris.

Representative **MORRIS**: Thank you, Mr. Speaker. The number one issue that we hear from businesses that they would like is predictability from State government as well as local governments. This bill provides some measure of predictability for small businesses in Maine.

Maine currently has the sixth highest minimum wage in the country. This bill does not address the State minimum wage. What this bill does is creates a preemption so businesses don't have to guess on a patchwork of laws around the minimum wage depending upon where they choose to settle. This will help those businesses that have multiple locations in different municipalities. It also helps those businesses that have a location in one of those municipalities like Portland where they've enacted a recent minimum wage that is causing havoc not just on the businesses themselves but it's also created issues for our health care system because the State does not reimburse at the \$18 an hour that Portland is requiring the hospitals to pay their employees.

So, what this bill does is it creates some measure of predictability for our small businesses, which is something that they are absolutely in need of right now with the last year with everything they have been through with COVID and forced closures and all the other things. So, I would encourage this Body to reject the pending motion and let's move to pass this bill. Thank you.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 61

YEA - Alley, Arford, Babbidge, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Crockett, Cuddy, Dodge, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenus, Hepler, Hymanson, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCreag, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Harrington, Head, Hutchins, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Bailey, Craven, Doore, Grignon, Haggan, Javner, Martin, Perry.

Yes, 80; No, 63; Absent, 8; Excused, 0.

80 having voted in the affirmative and 63 voted in the negative, with 8 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act To Exempt Substitutes, Coaches and Temporary Employees in the Education System from Paid Sick Leave Requirements" (H.P. 606) (L.D. 838)

Signed:

Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
CUDDY of Winterport
GERE of Kennebunkport
PEBORTH of Blue Hill
ROEDER of Bangor
WARREN of Scarborough

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-170)** on same Bill.

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
MORRIS of Turner
PRESCOTT of Waterboro

READ.

Representative SYLVESTER of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

Representative **BRADSTREET**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the pending motion.

I think you'll hear in a few moments about the havoc this is causing some of our local communities, particularly schools. What we've heard from the department that it's too early to do anything about making exceptions to the paid time off that was instituted in the last Legislature, but I think it's incumbent upon those people who are in charge of running school systems to step up and voice their opinions when they see that something is going to be very costly to them financially.

I was a person who voted in favor of this paid time off bill, one of the few people on my side of the aisle who did so, and I really do believe that some of the people who were included in it were not intended to be included in it originally. So, I also do request a roll call, Mr. Speaker.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not 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 Skowhegan, Representative Poirier.

Representative **POIRIER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the pending motion.

LD 838 addresses unintended consequences of Earned Employee Leave Law which took effect in January. Under the current law substitutes, coaches, temporary per diem employees, and even volunteers are able to accumulate and

take earned paid leave. In school districts, this will cause the inability to maintain adequate staffing and the inability to manage safe learning environments. It will also have a fiscal impact that will fall upon the taxpayers. For example, if a teacher schedules a day off, a substitute is scheduled. Under current law, that substitute may now take an earned sick day. If the district is fortunate enough to have substitutes available, a second substitute could cover the class, meaning three people would be paid to run one classroom that day. Our taxpayers will bear the burden of the extra costs. If another substitute is not available, there will not be adequate staffing to cover all students that day.

Substitute and temporary school employees are important employees but they are employees who work for schools at their own convenience. If they're not available on the date that they're called, they don't have to take the assignment. To track and apply leave time for these employees would be challenging and counter to the rule of the positions that they serve in the schools.

As amended, this bill does not exempt long-term substitutes from earned leave, they can accumulate that time. Most coaching staff are stipend positions, some are volunteers. Their schedules are generally self-made and would be incredibly challenging to track.

Schools are not the only entities feeling the unintended consequences of the current Earned Employee Leave Law. Hospitals, municipalities, and many others are experiencing real struggles. There is an obvious need for change in the existing law. This bill addresses many of those concerns and alleviates the burdens of the unintended consequences, so, I ask you to please join me in opposing the pending motion on the floor. Thank you, Mr. Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 62

YEA - Arford, Babbidge, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Alley, Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Harrington, Head, Hepler, Hutchins, Hymanson, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Moriarty, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Bailey, Doore, Grignon, Haggan, Javner, Martin, Perry.

Yes, 77; No, 67; Absent, 7; Excused, 0.

77 having voted in the affirmative and 67 voted in the negative, with 7 being absent, and accordingly the Majority

Ought Not to Pass Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act To Create an Alternate Minimum Wage Applicable to Student Employees Who Are under 20 Years of Age and to Employees Who Are under 18 Years of Age"

(H.P. 775) (L.D. 1047)

Signed:

Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
CUDDY of Winterport
GERE of Kennebunkport
PEBWORTH of Blue Hill
ROEDER of Bangor
WARREN of Scarborough

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-169)** on same Bill.

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
MORRIS of Turner
PRESCOTT of Waterboro

READ.

Representative SYLVESTER of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

Representative **BRADSTREET**: Thank you once again, Mr. Speaker. Ladies and Gentlemen of the House, I do rise in opposition to the pending motion.

I believe this was a very good bill submitted by the Good Representative from Fairfield. The Minority tried to amend this to make it so that everybody, the ages would be 18 across the board, trying to answer some of the concerns of the people who did think that this is not a good bill. So, thank you for that, Mr. Speaker, and I do ask for a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not 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 Fairfield, Representative Rudnicki.

Representative **RUDNICKI**: Thank you, Mr. Speaker. This bill provides a minimum hourly wage of \$9.75 an hour for employees who have not attained 20 years of age and is a student in a secondary or postsecondary school. This is still more than the federal minimum wage of \$7.25 an hour.

Many small businesses are hurting. Ever since the added increases of minimum wage, business owners are reluctant to hire teenagers. Teenagers just starting to work need to be trained on how to work. They need to learn to get off their

phones, they need to learn to show up on time, they need to learn to self-start when things are slow. These are not skills that we are born with. Someone has to give you the opportunity to learn these skills. This takes business owners time and money to train teenagers and they're not going to do that at \$12 and \$15 an hour. So, where does this leave this generation of kids?

I grew up on a farm here in Maine in the '70s and '80s. My siblings and I learned a work ethic early on, as many farm kids do. When my children were young, I started them helping in the family business and by the time they were 15 and 16, they were able to get jobs. We instilled a work ethic to show up on time, don't call out of work just because you don't feel like working, don't just stand around, but look for something to do. Because of this, they both moved up in their jobs quickly and were relied upon by their bosses. When my daughter went to Bentley University, she helped pay her way by working sometimes as many as three jobs. She had an extensive resume when they worked on their career resumes. Some of her classmates had no job experience and nothing to put on their resumes. This made it more difficult for them to get a job. My daughter was able to get an internship and when she graduated they hired her full-time and because of her work ethic she made herself indispensable and when others on her team at work were getting laid off due to COVID, she transitioned to work from home because they knew that she could and would do the job.

Most teenagers need these type of experiences to set them up for later in their lives. I have spoken to many business owners over the years and they are choosing not to hire teenagers because of the cost. An example is a friend of mine that owned a summer recreational facility and went from 30 teenagers before the increases then down to 15 then 10, and now due to COVID and the Chief Executive Office's edicts, has had to close his business for good.

As a business owner myself, I would choose to hire someone with any work experience over a teen with no work experience. If you've never owned a business, then you may not realize the actual cost of doing so. Most small business owners are on tight budgets and work 60-70 hours a week themselves. The first four years in my own business, I didn't even take a paycheck. Employee costs are usually the biggest expense. Not only are they paying a wage, they're also paying the employer taxes on top of that, which includes unemployment taxes.

In committee, the NFIB testified that they asked businesses a few years ago how they were handling the increases in minimum wage. The result; 58% said they would increase prices, 45% will reduce the work hours, 36% reduce workers, 36% limit and reduce worker benefits, 35% limit pay increases to other workers. The NFIB also testified that numerous small business owners have testified in recent years about increasing tension in the workplace between teenage workers with no experience and an immature work ethic compared to older workers.

Various states and other countries recognize the situation and allow employers to pay a learning wage to certain teenage workers for a limited duration. The Maine Job Council testified that LD 1047 would provide a consistent wage for students and this bill would enhance apprenticeships; integrating work with experience. Not all students are destined for four-year college, yet that has been the focus of the K-12 education. It would attract foundational jobs and take steps for students living in Maine an opportunity to get to work quickly, make a fair wage and stay in Maine.

We are currently in unusual times. We have many businesses looking for workers. This will not last forever. As

soon as the extra federal funds for unemployment go away, people will go back to work and our young people will have a more difficult time finding work. Please follow my light and vote no on this motion.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 63

YEA - Alley, Arford, Babbidge, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doudera, Dunphy, Evangelos, Evans, Fay, FecteauR, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Landry, Lookner, Madigan, MartinJ, MartinR, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, MillettR, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, PerryA, Pierce, Pluecker, Reckitt, Rielly, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, WarrenC, WarrenS, WhiteB, Williams, Wood, Zager, Zeigler.

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, FecteauJ, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Harrington, Head, Hutchins, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, MasonR, MillettH, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Riseman, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, WhiteD.

ABSENT - Bailey, Doore, Grignon, Haggan, Javner, MartinT, PerryJ.

Yes, 80; No, 64; Absent, 7; Excused, 0.

80 having voted in the affirmative and 64 voted in the negative, with 7 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass** on Resolve, Directing the Maine State Housing Authority To Engage Stakeholders in an Examination of Fair Chance Housing Policy Options

(H.P. 879) (L.D. 1201)

Signed:

Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
CUDDY of Winterport
GERE of Kennebunkport
PEBworth of Blue Hill
ROEDER of Bangor
WARREN of Scarborough

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

Signed:

Senator: GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
MORRIS of Turner
PRESCOTT of Waterboro

READ.

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

The Resolve was **READ ONCE**.

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

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

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act To Increase the Minimum Wage"

(H.P. 939) (L.D. 1279)

Signed:

Senators:

HICKMAN of Kennebec
GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
CUDDY of Winterport
DRINKWATER of Milford
GERE of Kennebunkport
MORRIS of Turner
PEBORTH of Blue Hill
PRESCOTT of Waterboro
ROEDER of Bangor

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-171)** on same Bill.

Signed:

Senator:

MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
WARREN of Scarborough

READ.

On motion of Representative SYLVESTER of Portland, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act To Clarify That Municipal Firefighters, Volunteer First Responders and Substitute Teachers Are Excluded from Maine Earned Paid Leave"

(H.P. 990) (L.D. 1339)

Signed:

Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
CUDDY of Winterport
GERE of Kennebunkport
PEBORTH of Blue Hill
ROEDER of Bangor
WARREN of Scarborough

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
MORRIS of Turner
PRESCOTT of Waterboro

READ.

On motion of Representative SYLVESTER of Portland, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act To Protect Businesses and Civic and Religious Organizations from Actions Taken Pursuant to an Emergency Proclamation"

(H.P. 464) (L.D. 628)

Signed:

Senators:

BALDACCI of Penobscot
CLAXTON of Androscoggin

Representatives:

MATLACK of St. George
BRYANT of Windham
COPELAND of Saco
DOORE of Augusta
PAULHUS of Bath
RISEMAN of Harrison

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-181)** on same Bill.

Signed:

Senator:

ROSEN of Hancock

Representatives:

DOWNES of Bucksport
GREENWOOD of Wales
HEAD of Bethel
TUELL of East Machias

READ.

Representative MATLACK of St. George moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative **TUELL**: Thank you, Mr. Speaker. I rise in opposition to the pending motion.

I think it is incredibly important that in doing so that we restore coequal branches of government and work towards getting this State moving forward again and, with that, I would request a roll call on the pending motion.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not 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 Greenbush, Representative Carmichael.

Representative **CARMICHAEL**: Thank you, Mr. Speaker, Honorable Members of the House. I submitted this bill on behalf of constituents who are not intentionally, but most definitely, harmed as a result of the steps taken in response to the pandemic. People whose businesses were shut down by government mandate. They couldn't even work to preserve their businesses, which many times was in their families for generations. The heartbreak these people felt was and is real.

This isn't a Democratic or a Republican issue. People of all demographics have suffered through this time. People with substance abuse issues were also harmed. These people depend on support groups and accountability partners to sustain their sobriety. For many, this was taken away from them, like a person that I'll just call Ken, who is a habitual offender and he spent many years battling his addiction. But Ken had finally found the support group and circumstances to find his sobriety. For the first time in his life, he was a productive member of society and held a job down and supported himself. As a result of this lockdown, he was confined to his small apartment and in this time he returned to his problems for a solution. Unable to battle this fight again, he took his own life. I'm sure that Ken wasn't the only one.

After seeing the deficiencies in the emergency powers, we can now see how we can improve this and to help other people in future circumstances. Please join me in opposing this motion and working to make the emergency powers better for Maine businesses, religious organizations and Maine's most vulnerable people. Thank you.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 64

YEA - Alley, Arford, Babbidge, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazza, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover,

Supica, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Harrington, Head, Hutchins, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Bailey, Bickford, Doore, Grignon, Haggan, Javner, Martin, Perry, Sylvester.

Yes, 80; No, 62; Absent, 9; Excused, 0.

80 having voted in the affirmative and 62 voted in the negative, with 9 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act To Increase Transparency in Certain Expenditures of the Governor" (H.P. 532) (L.D. 721)

Signed:

Senators:

BALDACCI of Penobscot
CLAXTON of Androscoggin
ROSEN of Hancock

Representatives:

MATLACK of St. George
BRYANT of Windham
COPELAND of Saco
DOORE of Augusta
DOWNES of Bucksport
GREENWOOD of Wales
HEAD of Bethel
PAULHUS of Bath

Minority Report of the same Committee reporting **Ought to Pass** on same Bill.

Signed:

Representative:

TUELL of East Machias

READ.

On motion of Representative MATLACK of St. George, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-144)** on Bill "An Act To Establish the Maine Service Fellows Program" (H.P. 748) (L.D. 1010)

Signed:

Senators:

BALDACCI of Penobscot
CLAXTON of Androscoggin
ROSEN of Hancock

Representatives:

MATLACK of St. George
BRYANT of Windham
COPELAND of Saco
DOORE of Augusta
DOWNES of Bucksport
PAULHUS of Bath
RISEMAN of Harrison

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

Signed:

Representatives:

GREENWOOD of Wales
HEAD of Bethel
TUELL of East Machias

READ.

On motion of Representative MATLACK of St. George, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE. Committee Amendment "A" (H-144)** 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-144)** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act Regarding Municipal Valuation and State-owned Property"

(H.P. 249) (L.D. 351)

Signed:

Senators:

CHIPMAN of Cumberland
LIBBY of Androscoggin
POULIOT of Kennebec

Representatives:

TERRY of Gorham
BICKFORD of Auburn
COLLINGS of Portland
GRAMLICH of Old Orchard Beach
HANLEY of Pittston
KRYZAK of Acton
MATLACK of St. George
PERRY of Bangor
SACHS of Freeport

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-114)** on same Bill.

Signed:

Representative:

CARMICHAEL of Greenbush

READ.

On motion of Representative TERRY of Gorham, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Exempt Long-term Lodging from the 9 Percent Sales Tax on Lodging"

(H.P. 447) (L.D. 611)

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

TERRY of Gorham
COLLINGS of Portland
HANLEY of Pittston
MATLACK of St. George
SACHS of Freeport

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-134)** on same Bill.

Signed:

Representatives:

BICKFORD of Auburn
KRYZAK of Acton

READ.

Representative TERRY of Gorham moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative KRYZAK of Acton **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not 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 Fairfield, Representative Rudnicki.

Representative **RUDNICKI**: Thank you, Mr. Speaker. I'm sure like myself you either have family or friends that are seasonal campers. Many use these as second homes. Seasonal campers seem to be taxed and taxed. Seasonal campers must pay sales tax when they buy their camper, they also pay excise tax and registration fees every year. When someone then takes that camper and puts it on a seasonal lot at a campground, they are now required to pay lodging tax on that same camper that they paid sales tax and excise tax for. We must also not forget that the landowner is paying property tax on this very land. That means that the land is actually being taxed twice; the landowner and the seasonal renter. The campgrounds pay a higher property tax because they are taxed on the amenities they provide like shore frontage, pools, buildings, playgrounds and sites available.

Seasonal sites allow many who are not in a financial position to buy land and erect a camp that can cost hundreds of thousands of dollars. Seasonal sites allow many to get out and enjoy wildlife firsthand, from hiking, fishing, birdwatching and many other outdoor activities. We don't charge people that rent an apartment a lodging tax, we don't charge camp owners a lodging tax. Why should we charge seasonal campers that technically use these campers as a second home a lodging tax?

Let me give you an example of the relief this would be. The average seasonal site, costing about \$2800, at 9%, lodging tax equals \$252 in tax relief. The \$252 that someone that owns a camp, just like a seasonal site, doesn't have to pay. We should treat our long-term lodging just like we do a camp. Two hundred fifty two dollars doesn't sound like a lot of money but to our seasonals that support local business, it can mean the difference of camping or staying home.

During a time of uncertainty with a worldwide pandemic, this would bring true tax relief to the very people that can really use it. Camping is a truly great way to get outdoors, allowing social distancing and keeping their family safe. Thank you.

The SPEAKER: The Chair recognizes the Representative from Milton Township, Representative Dolloff.

Representative **DOLLOFF**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I know it was just brought up about recreational, but my husband is a construction worker and travels and we have a camper that we paid the taxes on, we register it. And now with having to travel to make a living, now you also want to tax him because in the summertime he can take that camper.

So, don't think of the recreational, think of the working families like my husband has had to do for years. Thank you.

The SPEAKER: The Chair recognizes the Representative from Weld, Representative Skolfield.

Representative **SKOLFIELD**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. If I checked into the motel just up and across the road here tonight, I would pay a 9% tax. But, what I would get from that would be, hopefully, a clean set of sheets to lay on or a blanket, I would get a restroom that would be provided for me, I'd probably even get a little refrigerator and there might be even some things within it that I would get for my fee to stay there and what I would be charged the 9% lodging tax for.

Now, compare that, Mr. Speaker, with you going to one of our many camping sites in this State with your own camper that you have purchased, that you've paid a sales tax on, that you have registered and given money to the Secretary of State to haul across the road, and you're towing it with a vehicle that you have bought, that you've paid registration fees and sales tax on, and you arrive at this location and you say I would like to park this on a piece of property and I would like to use my own sheets, I would like to use my own bathroom, I would like to use my own roof over my head, my table, my refrigerator which I have stocked myself. And for the privilege of that, the State of Maine is going to get 9% more for my fee over my fee that I paid.

I find that remarkable and while you can understand that if you go to Comfort Inn, but why would you do it if you go to Comfort Campground. So, thank you very much, Mr. Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 65

YEA - Alley, Arford, Babbidge, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doudera, Dunphy, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hymanson, Kessler, Lookner, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Evangelos, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Harrington, Head, Hepler, Hutchins, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins,

Pickett, Poirier, Prescott, Quint, Riseman, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Bailey, Bickford, Doore, Grignon, Haggan, Javner, Madigan, Martin, Perry.

Yes, 76; No, 66; Absent, 9; Excused, 0.

76 having voted in the affirmative and 66 voted in the negative, with 9 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-117)** on Bill "An Act To Phase Out the Insurance Premium Tax on Annuities"

(H.P. 791) (L.D. 1062)

Signed:

Senators:

LIBBY of Androscoggin
POULIOT of Kennebec

Representatives:

TERRY of Gorham
CARMICHAEL of Greenbush
GRAMLICH of Old Orchard Beach
HANLEY of Pittston
KRYZAK of Acton
MATLACK of St. George
SACHS of Freeport

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

Signed:

Senator:

CHIPMAN of Cumberland

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-117)** 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-117)** and sent for concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-160)** on Resolve, To Create an Electronic Titling Work Group

(H.P. 476) (L.D. 645)

Signed:

Senators:

DIAMOND of Cumberland
FARRIN of Somerset

Representatives:

MARTIN of Sinclair
BRYANT of Windham
MARTIN of Greene
O'CONNELL of Brewer
PARRY of Arundel
PERKINS of Oakland
WHITE of Waterville
WILLIAMS of Bar Harbor

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

Signed:

Representatives:

CEBRA of Naples
WHITE of Mars Hill

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-160)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-160)** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on JOINT RESOLUTION MAKING APPLICATION TO THE CONGRESS OF THE UNITED STATES CALLING AN ARTICLE V CONSTITUTIONAL CONVENTION TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO IMPOSE CONGRESSIONAL TERM LIMITS

(H.P. 438)

Signed:

Senators:

BALDACCI of Penobscot
ROSEN of Hancock

Representatives:

MATLACK of St. George
BRYANT of Windham
COPELAND of Saco
DOORE of Augusta
DOWNES of Bucksport
HEAD of Bethel
PAULHUS of Bath
RISEMAN of Harrison
TUELL of East Machias

Minority Report of the same Committee reporting **Ought to Pass** on same Joint Resolution.

Signed:

Representative:

GREENWOOD of Wales

READ.

Representative MATLACK of St. George moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The SPEAKER: The Chair recognizes the Representative from Hiram, Representative Wadsworth.

Representative **WADSWORTH**: Mr. Speaker, the Framers in their wisdom gave the state legislatures equal authority in proposing amendments and it is time for us to use that authority to limit how long members of Congress can stay in office.

We have term limits for Chief Executives, state legislators, and the President. It is time that we have them for members of the U.S. House and Senate. Term limits on Congress will provide for fair and competitive elections, allow more people from a wide variety of backgrounds to participate in our government, give voters more choices at the ballot box which help increase voter participation, send new people with fresh ideas to Washington to fix the problems Congress refuses to fix, reduce big money in politics because 97% of corporate PACS protect the incumbents, fulfill the will of the American people who have been demanding term limits for decades.

Please support the will of over 80% of the American people by voting against the committee's recommendation of Ought Not to Pass and support term limits. Mr. Speaker, I request a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not 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 Wales, Representative Greenwood.

Representative **GREENWOOD**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, in my humble opinion, I would say Congress is broken. Congress has become dysfunctional and due to a small group of individuals who hold all the power. The American people are fed up with the political individuals, excuse me, the political games that are being played and deserve a government that is functional and listens to them.

In a recent survey over the last 13 months of the Congressional approval rating, their high was 36%, their low was 15%. That's not a very good ranking.

There is an issue today that can help accomplish this and become an overwhelming bipartisan support from the American people. It's called term limits for Congress.

Back in the 1990s, 23 states passed laws placing term limits on their congressional delegations. Here in Maine, the people passed two ballot measures, in 1994 and in 1996, for Congressional term limits. The 1996 measure contained five provisions and the first provision directed the State Legislature to apply to Congress to call an Article V Convention to propose an amendment for congressional term limits. Unfortunately, all 23 state laws were overturned by the courts and the U.S. Supreme Court ruled in the U.S. Term Limits v Thornton that term limits for Congress can only be accomplished by an amendment to the U.S. Constitution under Article V.

We also know that two-thirds of Congress will never vote to propose an amendment that will limit their terms in office, so, it is up to us, the State Legislatures, to use the Article V authority that was given to us by the framers, the authority to listen to the people and propose the amendment on their behalf.

I encourage you to vote against the pending motion and stand with 75% of the Maine people in supporting term limits. Thank you.

The SPEAKER: The Chair recognizes the Representative from Oxford, Representative Dillingham.

Representative **DILLINGHAM**: Thank you, Mr. Speaker, Men and Women of the House. I rise against this motion and in support of this Article V Convention Resolution to amend the Constitution and impose term limits on members of Congress.

The vision our founders had for our Legislature was one of citizens representing their districts for a time and then returning home. But as the government has grown, so too has the desire of those serving in it making a career out of what should be temporary service to their districts and state. This career-seeking has resulted in an abdication of responsibility on the part of Congress to meet its most basic responsibilities. The last time Congress followed its own budget process was in 1997. Public hearings have turned into exercises in which members can produce the best cable television soundbites and oversight appears to only matter to the party not in control of the Chief Executive.

By eliminating the amount of time a member of Congress may serve in Washington, we are limiting their incentives to become enshrined in the Capitol. This, in turn, should result in a return to what Congress is supposed to do; pass meaningful legislation, appropriate funds and hold accountable the federal bureaucracy.

If it is appropriate for us to have term limits, then it is appropriate that all levels of government. It is for these reasons that I believe we need a constitutional amendment to limit the time members of Congress can serve and why I'll be voting against this motion. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 66

YEA - Alley, Arford, Babbidge, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Corey, Crafts, Craven, Dodge, Doudera, Downes, Dunphy, Evangelos, Evans, Fay, FecteauR, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Landry, Lookner, MartinJ, MartinR, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, MillettR, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, PerryA, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuell, Tuttle, WarrenC, WhiteB, Williams, Wood, Zager, Zeigler.

NAY - Andrews, Arata, Austin, Bernard, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Costain, Crockett, Dillingham, Dolloff, Drinkwater, Ducharme, Faulkingham, FecteauJ, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Harrington, Head, Hutchins, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, MasonR, MillettH, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Underwood, Wadsworth, WarrenS, WhiteD.

ABSENT - Bailey, Bickford, Cuddy, Doore, Grignon, Haggan, Javner, Madigan, MartinT, PerryJ.

Yes, 80; No, 61; Absent, 10; Excused, 0.

80 having voted in the affirmative and 61 voted in the negative, with 10 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on JOINT RESOLUTION MAKING APPLICATION TO THE CONGRESS OF THE UNITED STATES CALLING AN ARTICLE V CONSTITUTIONAL CONVENTION TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT AND LIMIT THE TERMS OF OFFICE FOR FEDERAL GOVERNMENT OFFICIALS AND MEMBERS OF CONGRESS

(H.P. 467)

Signed:

Senators:

BALDACCI of Penobscot
ROSEN of Hancock

Representatives:

MATLACK of St. George
BRYANT of Windham
COPELAND of Saco
DOORE of Augusta
DOWNES of Bucksport
HEAD of Bethel
PAULHUS of Bath
RISEMAN of Harrison
TUELL of East Machias

Minority Report of the same Committee reporting **Ought to Pass** on same Joint Resolution.

Signed:

Representative:

GREENWOOD of Wales

READ.

Representative MATLACK of St. George moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative HARRINGTON of Sanford **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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 Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 67

YEA - Alley, Arford, Babbidge, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Corey, Crafts, Craven, Crockett, Cuddy, Dodge, Doudera, Downes, Dunphy, Evangelos, Evans, Fay, FecteauR, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Landry, Lookner, MartinJ, MartinR, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, MillettR, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, PerryA, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuell, Tuttle, WarrenC, WarrenS, WhiteB, Williams, Wood, Zager, Zeigler.

NAY - Andrews, Arata, Austin, Bernard, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Costain, Dillingham, Dolloff, Drinkwater, Ducharme, Faulkingham, FecteauJ, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Harrington, Head, Hutchins, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, MasonR, MillettH, Morris,

Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Underwood, Wadsworth, WhiteD.

ABSENT - Bailey, Bickford, Doore, Grignon, Haggan, Javner, Madigan, MartinT, PerryJ.

Yes, 83; No, 59; Absent, 9; Excused, 0.

83 having voted in the affirmative and 59 voted in the negative, with 9 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

SENATE PAPERS

Bill "An Act To Create a Logging Dispute Resolution Board and To Require Proof of Ownership Documents To Be Available within 14 Days of Request"

(S.P. 568) (L.D. 1724)

Came from the Senate, **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed.

REFERRED to the Committee on **LABOR AND HOUSING** in concurrence.

CONSENT CALENDAR

First Day

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(S.P. 212) (L.D. 527) Bill "An Act To Exempt MaineCare Appendix C Private Nonmedical Institutions from the Service Provider Tax" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-93)**

(S.P. 457) (L.D. 1407) Bill "An Act To Provide That a Forestry Operation That Conforms to Accepted Practices May Not Be Declared a Nuisance" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-99)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the Senate Papers were **PASSED TO BE ENGROSSED as Amended** in concurrence.

SENATE PAPERS

Bill "An Act To Clarify the Deferral of the Pooled Market and Link Small Employer Clear Choice to Pooling in the Made for Maine Health Coverage Act"

(S.P. 570) (L.D. 1725)

Came from the Senate, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed.

REFERRED to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** in concurrence.

CONSENT CALENDAR

First Day

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(H.P. 1156) (L.D. 1551) Bill "An Act To Ban the Sale of Cosmetics That Have Been Tested on Animals" Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass**

(H.P. 778) (L.D. 1049) Resolve, To Promote the Education of Students Who Participate in Sex Education Classes Regarding Common Cancer Symptoms, the Bone Marrow Registry and Organ Donation Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-197)**

(H.P. 890) (L.D. 1215) Resolve, To Require the State Auditor To Report on Corrective Actions Regarding the Administration of Federal Grants Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-198)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the House Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

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

COMMUNICATIONS

The Following Communication: (H.P. 1250)

STATE OF MAINE

CLERK'S OFFICE

2 STATE HOUSE STATION

AUGUSTA, MAINE 04333-0002

May 3, 2021

Honorable Ryan M. Fecteau

Speaker of the House

130th Legislature

Honorable Troy D. Jackson

President of the Senate

130th Legislature

Dear Mr. Speaker and Mr. President:

On May 3, 2021, 27 bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on May 3, 2021, as follows:

Criminal Justice and Public Safety

Bill "An Act To Stabilize State Funding for County Corrections" (EMERGENCY) (H.P. 1225) (L.D. 1654) (Sponsored by Representative WARREN of Hallowell) (Cosponsored by Representatives: MORALES of South Portland, PICKETT of Dixfield, PLUECKER of Warren, RECKITT of South Portland, Senator: CYRWAY of Kennebec)

Resolve, To Develop a Plan To Close the Long Creek Youth Development Center and Redirect Funding to Community Integration Services for Adjudicated Youth (H.P. 1239) (L.D. 1668) (Sponsored by Representative LOOKNER of Portland) (Cosponsored by Representatives: GRAMLICH of Old Orchard Beach, MORALES of South Portland, O'NEIL of Saco, RECKITT of South Portland, SYLVESTER of Portland, TALBOT ROSS of Portland, WARREN of Hallowell, Senator: MAXMIN of Lincoln)

Bill "An Act To Improve Access to Medical Care for and Expand the Rights of Adult Clients of State Correctional Facilities" (H.P. 1245) (L.D. 1674) (Sponsored by Representative TALBOT ROSS of Portland) (Cosponsored by Senator LAWRENCE of York and Representatives: CRAVEN of Lewiston, EVANS of Dover-Foxcroft, Speaker FECTEAU of Biddeford, MADIGAN of Waterville, PLUECKER of Warren, SHARPE of Durham, WARREN of Hallowell, Senator: CLAXTON of Androscoggin)
 Bill "An Act To Amend Certain Provisions of Maine's Drug Laws" (H.P. 1246) (L.D. 1675) (Sponsored by Representative TALBOT ROSS of Portland) (Cosponsored by Senator HICKMAN of Kennebec and Representatives: CARDONE of Bangor, O'NEIL of Saco, PLUECKER of Warren, SHEEHAN of Biddeford, WARREN of Hallowell, WILLIAMS of Bar Harbor, Senator: CLAXTON of Androscoggin)

Education and Cultural Affairs

Bill "An Act To Integrate African American Studies into American History Education" (H.P. 1235) (L.D. 1664) (Sponsored by Representative TALBOT ROSS of Portland) (Cosponsored by Senator HICKMAN of Kennebec and Representative: EVANS of Dover-Foxcroft)

Bill "An Act To Require That Private Schools That Enroll 60 Percent or More Publicly Funded Students Meet Certain Requirements" (H.P. 1243) (L.D. 1672) (Sponsored by Representative MILLETT of Cape Elizabeth) (Cosponsored by Senator HICKMAN of Kennebec and Representative: PERRY of Calais, Senators: CARNEY of Cumberland, MOORE of Washington)

Energy, Utilities and Technology

Bill "An Act To Create the Maine Clean Energy and Sustainability Accelerator" (H.P. 1230) (L.D. 1659) (Sponsored by Representative ZEIGLER of Montville) (Cosponsored by Senator CARNEY of Cumberland and Representatives: CUDDY of Winterport, DODGE of Belfast, Speaker FECTEAU of Biddeford, GROHOSKI of Ellsworth, KESSLER of South Portland, MILLETT of Waterford, SACHS of Freeport, Senator: BENNETT of Oxford)

Bill "An Act To Direct the Public Utilities Commission to Implement a Statewide, Multi-use Online Energy Data Platform" (H.P. 1237) (L.D. 1666) (Sponsored by Representative KESSLER of South Portland) (Cosponsored by Representatives: BERRY of Bowdoinham, CUDDY of Winterport, GROHOSKI of Ellsworth, WOOD of Portland)

Environment and Natural Resources

Bill "An Act To Update Maine's Sales Prohibition on Upholstered Furniture Treated with Flame-retardant Chemicals" (H.P. 1233) (L.D. 1662) (Sponsored by Representative DILLINGHAM of Oxford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.)

Health and Human Services

Resolve, Regarding Legislative Review of Chapter 124: Emergency Medical Services Personnel Reporting Rule, a Late-filed Major Substantive Rule of the Department of Health and Human Services, Maine Center for Disease Control and Prevention (EMERGENCY) (H.P. 1224) (L.D. 1653) (Submitted by the Department of Health and Human Services pursuant to the Maine Revised Statutes, Title 5, section 8072 and approved for introduction by a majority of the Legislative Council.)

Bill "An Act To Protect the Health, Safety and Comfort of Elderly Residents and Residents with Disabilities by Ensuring Backup Access to Electrical Power in Certain Facilities during Power Outages" (H.P. 1228) (L.D. 1657) (Sponsored by Representative BABBIDGE of Kennebec) (Cosponsored by Senator RAFFERTY of York)

Health Coverage, Insurance and Financial Services

Bill "An Act To Modify Dental Licensure Requirements To Consider Credentialed Individuals from Other Jurisdictions" (EMERGENCY) (H.P. 1231) (L.D. 1660) (Sponsored by Representative TEPLER of Topsham) (Submitted by the Department of Professional and Financial Regulation and approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.)

Bill "An Act To Protect the Insurable Interest of Homeowners in Multifamily Residences" (H.P. 1232) (L.D. 1661) (Sponsored by Representative PERRY of Bangor) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.)

Inland Fisheries and Wildlife

Bill "An Act To Improve Boating Safety on Maine Waters" (H.P. 1234) (L.D. 1663) (Sponsored by Representative FAY of Raymond) (Cosponsored by Representatives: McDONALD of Stonington, RISEMAN of Harrison, THERIAULT of China, Senator: DIAMOND of Cumberland)

Innovation, Development, Economic Advancement and Business

Bill "An Act To Build a Child Care System by Recruiting and Retaining Maine's Early Childhood Educators Workforce" (H.P. 1223) (L.D. 1652) (Sponsored by Speaker FECTEAU of Biddeford) (Cosponsored by President JACKSON of Aroostook and Representatives: HASENFUS of Readfield, McDONALD of Stonington, MILLETT of Waterford, MILLETT of Cape Elizabeth, ROBERTS of South Berwick, Senators: DAUGHTRY of Cumberland, STEWART of Aroostook)

Bill "An Act To Create a Data Broker Registry and Improve Consumer Protections" (H.P. 1226) (L.D. 1655) (Sponsored by Representative O'NEIL of Saco) (Cosponsored by Representatives: BERRY of Bowdoinham, FAULKINGHAM of Winter Harbor, FECTEAU of Augusta, GROHOSKI of Ellsworth, Senators: BAILEY of York, KEIM of Oxford)

Judiciary

Bill "An Act To Amend AN ACT to Implement the Maine Indian Claims Settlement Concerning Land Acquisition and Criminal Jurisdiction" (H.P. 1236) (L.D. 1665) (Sponsored by Representative BABBIDGE of Kennebec)

Bill "An Act To Limit Access to Juvenile Case Records and Protect the Confidentiality of Juvenile History Record Information" (H.P. 1247) (L.D. 1676) (Sponsored by Representative TALBOT ROSS of Portland) (Cosponsored by Senator CARNEY of Cumberland and Representatives: BRENNAN of Portland, Speaker FECTEAU of Biddeford, HARNETT of Gardiner, MORIARTY of Cumberland, O'NEIL of Saco, Senators: BAILEY of York, LAWRENCE of York, SANBORN of Cumberland)

Labor and Housing

Bill "An Act To Promote Energy-efficient Affordable Housing" (H.P. 1227) (L.D. 1656) (Sponsored by Representative MILLETT of Cape Elizabeth) (Cosponsored by President JACKSON of Aroostook and Representatives: CUDDY of Winterport, Speaker FECTEAU of Biddeford, GERE of Kennebunkport, GROHOSKI of Ellsworth, PEBWORTH of Blue Hill, SYLVESTER of Portland, Senators: BRENNER of Cumberland, HICKMAN of Kennebec)

Bill "An Act To Create a Comprehensive Permit Process for the Construction of Affordable Housing" (H.P. 1244) (L.D. 1673) (Sponsored by Representative TALBOT ROSS of Portland) (Cosponsored by Senator MIRAMANT of Knox and Representatives: CUDDY of Winterport, GERE of Kennebunkport, MORALES of South Portland, SUPICA of

Bangor, SYLVESTER of Portland, Senator: BALDACCI of Penobscot)

State and Local Government

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Limit the Action the Legislature May Take on Initiatives Approved by Voters for a Period of 3 Years (H.P. 1240) (L.D. 1669) (Sponsored by Representative BAILEY of Gorham) (Cosponsored by President JACKSON of Aroostook and Representatives: CUDDY of Winterport, GROHOSKI of Ellsworth, HASENFUS of Readfield, LOOKNER of Portland, WARREN of Hallowell)

Resolve, To Establish the Commission To Study and Recommend Solutions for Modernizing the Maine Legislature (H.P. 1241) (L.D. 1670) (Sponsored by Representative BAILEY of Gorham) (Cosponsored by Representatives: CARLOW of Buxton, GERE of Kennebunkport, GROHOSKI of Ellsworth, McDONALD of Stonington, NEWELL of the Passamaquoddy Tribe, WARREN of Hallowell, Senator: STEWART of Aroostook)

Resolve, To Implement Security Screenings in the State House and Capitol Area Offices (EMERGENCY) (H.P. 1242) (L.D. 1671) (Sponsored by Representative GRAMLICH of Old Orchard Beach) (Cosponsored by Representatives: DOUDERA of Camden, MEYER of Eliot, SACHS of Freeport, TALBOT ROSS of Portland, Senators: DAUGHTRY of Cumberland, MOORE of Washington) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.)

Taxation

Bill "An Act To Create a Tax Credit for Maine Workers Who Have Earned Certificates from Accredited Institutions" (H.P. 1238) (L.D. 1667) (Sponsored by Representative SHEEHAN of Biddeford) (Cosponsored by Representatives: FAY of Raymond, Speaker FECTEAU of Biddeford, TERRY of Gorham)

Bill "An Act To Support Frontline Workers by Adding a Temporary Tax Bracket Affecting High Earners" (H.P. 1248) (L.D. 1677) (Sponsored by Speaker FECTEAU of Biddeford)

Bill "An Act To Support Child Care Providers and School Readiness through Tax Credits" (H.P. 1249) (L.D. 1678) (Sponsored by Representative MILLETT of Cape Elizabeth) (Cosponsored by Senator CLAXTON of Androscoggin and Representatives: DOUDERA of Camden, MEYER of Eliot, SACHS of Freeport, TEPLER of Topsham, Senators: BREEN of Cumberland, LIBBY of Androscoggin)

Veterans and Legal Affairs

Bill "An Act To Increase Campaign Finance Transparency and Accountability in Municipal Elections" (H.P. 1229) (L.D. 1658) (Sponsored by Representative LOOKNER of Portland) (Cosponsored by Senator CHIPMAN of Cumberland and Representatives: SYLVESTER of Portland, TALBOT ROSS of Portland, WARREN of Hallowell, WOOD of Portland, Senator: DAUGHTRY of Cumberland)

Sincerely,
S/Robert B. Hunt
Clerk of the House
S/Darek M. Grant
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

Sent for concurrence.

The Following Communication: (H.P. 1257)

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

May 4, 2021

Honorable Ryan M. Fecteau
Speaker of the House
130th Legislature
Honorable Troy D. Jackson
President of the Senate
130th Legislature

Dear Mr. Speaker and Mr. President:

On May 4, 2021, 3 bills were received by the Clerk of the House. Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on May 4, 2021, as follows:

Criminal Justice and Public Safety

Resolve, To Compensate Department of Corrections Employees for Hazardous Work (H.P. 1252) (L.D. 1683) (Sponsored by Representative PLUECKER of Warren) (Cosponsored by Representatives: EVANGELOS of Friendship, WARREN of Hallowell, Senator: DESCHAMBAULT of York)

Education and Cultural Affairs

Bill "An Act To Strengthen Maine's Workforce by Expanding English Language Acquisition and Workforce Training Programs" (H.P. 1253) (L.D. 1684) (Sponsored by Representative CLOUTIER of Lewiston) (Cosponsored by Senator CARNEY of Cumberland and Representatives: CRAVEN of Lewiston, CROCKETT of Portland, DODGE of Belfast, DOUDERA of Camden, RIELLY of Westbrook, TALBOT ROSS of Portland, Senators: DAUGHTRY of Cumberland, LIBBY of Androscoggin)

Energy, Utilities and Technology

Bill "An Act To Require Consideration of Climate and Equity Impacts by the Public Utilities Commission" (H.P. 1251) (L.D. 1682) (Sponsored by Representative DOUDERA of Camden) (Cosponsored by Senator MAXMIN of Lincoln and Representatives: BLUME of York, GRAMLICH of Old Orchard Beach, GROHOSKI of Ellsworth, KESSLER of South Portland, Senator: CARNEY of Cumberland)

Sincerely,
S/Robert B. Hunt
Clerk of the House
S/Darek M. Grant
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

Sent for concurrence.

The Following Communication: (H.P. 1260)

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

May 6, 2021

Honorable Ryan M. Fecteau
Speaker of the House
130th Legislature
Honorable Troy D. Jackson
President of the Senate
130th Legislature

Dear Mr. Speaker and Mr. President:

On May 6, 2021, 2 bills were received by the Clerk of the House. Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on May 6, 2021, as follows:

Health and Human Services

Bill "An Act To Advance Health Equity, Improve the Well-being of All Maine People and Create a Health Trust" (H.P. 1258) (L.D. 1693) (Sponsored by Representative TALBOT ROSS of Portland) (Cosponsored by Senator VITELLI of Sagadahoc and Representatives: EVANS of Dover-Foxcroft, MEYER of Eliot, MILLETT of Cape Elizabeth, NEWELL of the Passamaquoddy Tribe, PERRY of Calais, Senators: CHIPMAN of Cumberland, HICKMAN of Kennebec)

Innovation, Development, Economic Advancement and Business

Bill "An Act To Create the Maine Redevelopment Land Bank Authority" (H.P. 1259) (L.D. 1694) (Sponsored by Representative SACHS of Freeport) (Cosponsored by President JACKSON of Aroostook and Representatives: BAILEY of Gorham, BERNARD of Caribou, CLOUTIER of Lewiston, MATLACK of St. George, TALBOT ROSS of Portland, Senators: POULIOT of Kennebec, VITELLI of Sagadahoc)

Sincerely,

S/Robert B. Hunt
Clerk of the House
S/Darek M. Grant
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

Sent for concurrence.

The Following Communication: (H.P. 1262)

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

May 10, 2021

Honorable Ryan M. Fecteau
Speaker of the House
130th Legislature
Honorable Troy D. Jackson
President of the Senate
130th Legislature

Dear Mr. Speaker and Mr. President:

On May 10, 2021, 2 bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on May 10, 2021, as follows:

Appropriations and Financial Affairs

Bill "An Act To Provide Allocations for the Administration of State Fiscal Recovery Funds" (EMERGENCY) (H.P. 1263) (L.D.

1700) (Sponsored by Representative PIERCE of Falmouth) (GOVERNOR'S BILL)

Health and Human Services

Bill "An Act To Improve Housing Security by Improving Access to General Assistance" (H.P. 1261) (L.D. 1695) (Sponsored by Representative MORALES of South Portland) (Cosponsored by Representatives: GRAMLICH of Old Orchard Beach, SYLVESTER of Portland)

Sincerely,

S/Robert B. Hunt
Clerk of the House
S/Darek M. Grant
Secretary of the Senate

READ and ORDERED PLACED ON FILE.

Sent for concurrence.

The Following Communication: (H.P. 1268)

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

May 11, 2021

Honorable Ryan M. Fecteau
Speaker of the House
130th Legislature
Honorable Troy D. Jackson
President of the Senate
130th Legislature

Dear Mr. Speaker and Mr. President:

On May 11, 2021, 4 bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on May 11, 2021, as follows:

Appropriations and Financial Affairs

Bill "An Act To Authorize General Fund Bond Issues To Improve Transportation and National Guard Infrastructure and To Promote the Conservation of Land, Working Waterfronts, Water Access and Outdoor Recreation" (H.P. 1265) (L.D. 1702) (Sponsored by Representative PIERCE of Falmouth) (GOVERNOR'S BILL)

Health and Human Services

Bill "An Act To Establish a Managed Care Program for MaineCare Services" (H.P. 1264) (L.D. 1701) (Sponsored by Representative MILLETT of Waterford)

Judiciary

Bill "An Act To Amend the Bail Code" (H.P. 1266) (L.D. 1703) (Sponsored by Representative TALBOT ROSS of Portland) (Cosponsored by Senator BAILEY of York and Representatives: Speaker FECTEAU of Biddeford, HARNETT of Gardiner, PIERCE of Falmouth, SHEEHAN of Biddeford, Senators: BREEN of Cumberland, CARNEY of Cumberland, LAWRENCE of York)

Taxation

Bill "An Act To Change the Exclusion Amount under the Estate Tax and Provide Additional Funding for the Housing Opportunities for Maine Fund" (H.P. 1267) (L.D. 1704) (Sponsored by Representative TALBOT ROSS of Portland) (Cosponsored by Senator CHIPMAN of Cumberland and Representatives: COLLINGS of Portland, TERRY of Gorham)

Sincerely,

S/Robert B. Hunt
Clerk of the House
S/Darek M. Grant

Secretary of the Senate
READ and ORDERED PLACED ON FILE.
Sent for concurrence.

The Following Communication: (H.P. 1270)
**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

May 13, 2021
Honorable Ryan M. Fecteau
Speaker of the House
130th Legislature
Honorable Troy D. Jackson
President of the Senate
130th Legislature
Dear Mr. Speaker and Mr. President:
On May 13, 2021, 1 bill was received by the Clerk of the House. Pursuant to the provisions of Joint Rule 308.2, this bill was referred to a Joint Standing Committee on May 13, 2021, as follows:

Energy, Utilities and Technology

Bill "An Act To Create the Pine Tree Power Company, a Nonprofit Utility, To Deliver Lower Rates, Reliability and Local Control for Maine Energy Independence" (H.P. 1269) (L.D. 1708) (Sponsored by Representative BERRY of Bowdoinham) (Cosponsored by Senator BENNETT of Oxford and Representatives: CARLOW of Buxton, GROHOSKI of Ellsworth, NEWELL of the Passamaquoddy Tribe, POIRIER of Skowhegan, Senators: BRENNER of Cumberland, President JACKSON of Aroostook, WOODSOME of York)

Sincerely,
S/Robert B. Hunt
Clerk of the House
S/Darek M. Grant

Secretary of the Senate
READ and ORDERED PLACED ON FILE.
Sent for concurrence.

The Following Communication: (H.C. 151)
**STATE OF MAINE
130TH MAINE LEGISLATURE**

May 13, 2021
Hon. Robert B. Hunt
Office of the Clerk of the House
2 State House Station
Augusta, ME 04333
Dear Clerk Hunt:
Pursuant to our authority under Article IV, Part Third, Section 1-A of the Constitution of the State of Maine, we have appointed the following to serve as a member of the Apportionment Commission:
Hon. Donald G. Alexander of Winthrop
Please let us know if you have any questions.
Sincerely,
S/Bev Unlenhake
Democratic Party Public Member
S/Josh Tardy
Republican Party Public Member

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 146)
**MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL**

April 27, 2021
Honorable Ryan Fecteau
Speaker of the House
130th Maine Legislature
Augusta, Maine 04333

Dear Speaker Fecteau:
I am notifying you that, pursuant to 12 MRSA §683-A, I have forwarded to the Joint Standing Committee on Agriculture, Conservation and Forestry the following nomination made to the Maine Land Use Planning Commission by the Piscataquis County Commissioners on April 20, 2021:

Everett Worcester of Orneville Township
The County asks that this nomination be considered to continue serving a new four-year term that began May 23, 2021 through May 22, 2025. This position is scheduled to be filled by Piscataquis County.

Pursuant to 12 MRSA 683-A, this appointment is subject to confirmation by the Maine Senate after review by the committee having jurisdiction over conservation matters.

Sincerely,
S/Suzanne M. Gresser
Executive Director

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 147)
**STATE OF MAINE
OFFICE OF THE STATE AUDITOR
66 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0066
LETTER OF TRANSMITTAL**

Honorable Troy D. Jackson
President of the Senate
Honorable Ryan M. Fecteau
Speaker of the House of Representatives
Honorable Janet T. Mills
Governor of the State of Maine

I am pleased to submit the State of Maine Management Letter for the fiscal year ended June 30, 2020. During our audit of the State of Maine, we became aware of matters that offer opportunities for our government to improve its operations. Recommendations regarding these matters accompany this Management Letter as "management letter comments."

This publication of our Management Letter includes two sections: management letter comments previously issued in relation to the Comprehensive Annual Financial Report (CAFR) audit; and management letter comments newly issued in relation to the Single Audit. Management letter comments related to the CAFR audit were separately issued on February 3, 2021 and are included in this report to provide the reader with a comprehensive set of our recommendations.

Please feel free to contact me with questions you may have. Like you, we are committed to improving our State government for the benefit of our citizens. Healthy discussion of the problems found and solutions considered are part of a dialogue that aims at improvement. I welcome your thoughts and inquiries about these matters.

Respectfully submitted,
S/Matthew Dunlap
State Auditor

May 6, 2021

READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 148)
STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

May 19, 2021

Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised that pursuant to her authority, Governor Janet T. Mills has nominated the following:

on May 10, 2021

The Honorable Valerie Stanfill of Wayne for appointment as Chief Justice of the Maine Supreme Judicial Court, Deputy District Attorney Carrie L. Linthicum, Esquire of Castle Hill for appointment as a Judge on the Maine District Court and The Honorable Andrew M. Mead of Bangor for reappointment as Associate Justice of the Maine Supreme Judicial Court.

Pursuant to Article V, Part First, §8, of the Maine Constitution, these appointments and this reappointment are contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Judiciary.

on May 14, 2021

Barry W. Norris of Union and Timothy J. Archambault of Holden for appointment to the Maine State Harness Racing Commission.

Pursuant to Title 8, MRSA §261-A, these appointments are contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Sincerely,

S/Ryan M. Fecteau
Speaker of the House

READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 149)
STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002

May 19, 2021

Honorable Ryan M. Fecteau
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear Speaker Fecteau:

Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass:"

Agriculture, Conservation and Forestry

L.D. 282 An Act Regarding Maine Agriculture

L.D. 1158 An Act Regarding the Application of Certain Pesticides for Nonagricultural Use

L.D. 1295 An Act To Require Legislative Approval of Certain Transmission Lines, Require Legislative Approval of Certain Transmission Lines and Facilities and Other Projects on

Public Reserved Lands and Prohibit the Construction of Certain Transmission Lines in the Upper Kennebec Region
Criminal Justice and Public Safety

L.D. 271 An Act To Recruit and Retain Department of Corrections Facilities Support Staff

L.D. 400 An Act To Modify the Composition of the Board of Trustees of the Maine Criminal Justice Academy

L.D. 438 An Act To Increase Public Safety by Adding a Position to the Computer Crimes Unit of the Maine State Police

L.D. 758 Resolve, To Study Streamlining the Background Check Process for State-licensed Professions That Require Background Checks (EMERGENCY)

L.D. 852 Resolve, To Review Public Safety around School Buses and School Bus Stops

L.D. 893 An Act To Enable Motor Vehicle Technicians To Safely Disable Breathalyzer Starter Devices

L.D. 928 An Act To Require Adequate Training for Police Officers Who Use Speed Measurement Devices

L.D. 1035 An Act To Prohibit Maintaining Drug-involved Premises

L.D. 1070 An Act To Make Assault on a Person 50 Years of Age or Older with a Preexisting Serious Medical Condition a Class C Crime

L.D. 1092 An Act To Expand the Board of Trustees of the Maine Criminal Justice Academy To Include 6 Members of the Public Who Are Not Employed as Any Type of Law Enforcement Personnel and To Require a Public Review of the Training Syllabus

L.D. 1127 An Act To Prohibit the Use of "No-knock" Warrants

L.D. 1192 An Act Concerning the Composition of the Criminal Law Advisory Commission

L.D. 1250 An Act To Allow Law Enforcement Officers with Federal Law Enforcement Officers Safety Act Clearance To Carry a Concealed Weapon

L.D. 1286 Resolve, Directing the Department of Public Safety To Apply for an Exemption from Background Checks for Holders of Concealed Weapons Permits
Education and Cultural Affairs

L.D. 350 An Act To Increase the Number of Courses Regarding Autism Spectrum Disorder That Count toward Special Education Certification

L.D. 566 An Act To Address Labor Market Inequities in the School Funding Formula

L.D. 650 An Act To Increase Funding for School Construction Projects

L.D. 742 Resolve, To Track Youth Mental Health during the COVID-19 Public Health Emergency by Ensuring the Maine Integrated Youth Health Survey Is Conducted during the 2020-2021 School Year (EMERGENCY)

L.D. 777 An Act To Correct Career and Technical Education Funding

L.D. 975 An Act To Create an Additional Pathway To Certify Industrial Arts Teachers To Foster Career and Technical Subjects in Maine Schools

L.D. 1014 An Act To Repeal the School Bus Reimbursement Formula and Replace It with Essential Programs and Services Funding

L.D. 1149 An Act To Provide Exemptions from Certain Teacher Certification Examination Requirements

L.D. 1169 An Act To Improve Teacher Certification during Staffing Shortages

L.D. 1248 An Act To Limit the Cost of a 4-year Degree Offered in this State and Implement Provisions Designed To Reduce Student Debt

- L.D. 1280 An Act To Bolster Rural Economies
- L.D. 1379 An Act To Establish a Lifetime Substitute Teacher Certification for Established and Successful Educators
- L.D. 1393 An Act To Protect a Parent's and Guardian's Right to Educational Information Regarding a Juvenile Student
- L.D. 1426 An Act To Provide for the Equitable Funding of Education Chosen by Maine Families
- L.D. 1449 An Act To Provide for Education Funding Reform for More Equitable State Support to Communities Energy, Utilities and Technology
- L.D. 426 An Act Relating to Solar Energy Installation
- L.D. 754 An Act To Promote Municipal Climate Action
- L.D. 807 An Act To Ensure Equitable Access to Mobile Hotspots for Maine Students
- L.D. 1098 An Act To Support Rural Maine Residents through the Winter by Providing Rebates for Backup Power Generators
- L.D. 1116 Resolve, To Require Review of the Outcomes of Utility Restructuring and Electricity Generation Divestiture (EMERGENCY)
- L.D. 1130 An Act To Establish a Public Registry for Automated Telephone Calls and So-called Robocalls
- L.D. 1190 An Act To Support the Provision of Universal, Affordable Broadband Internet
- L.D. 1191 Resolve, To Study the Feasibility of Time-of-use Rates
- L.D. 1314 An Act To Require Dispatch Units To Employ a Person with a Social Work Background
- L.D. 1332 An Act Regarding Net Energy Billing Limits Environment and Natural Resources
- L.D. 640 An Act To Ban Single-serving, Disposable Plastic Water Bottles
- L.D. 678 An Act Regarding Timelines for Permitting by the Department of Environmental Protection
- L.D. 1089 An Act To Increase Municipal Oversight in the Site Location of Development Laws
- L.D. 1097 An Act Regarding the Definition of "Development of State or Regional Significance That May Substantially Affect the Environment"
- L.D. 1367 An Act To Create a Grant Program To Promote Innovation in Municipal Carbon Reduction Initiatives
- L.D. 1540 An Act To Reduce Hunger and Use Food Scraps in Farming and Energy Production
- Health and Human Services
- L.D. 62 An Act To Promote Cost-effectiveness in the MaineCare Program and Improve the Oral Health of Maine Adults and Children
- L.D. 72 An Act To Improve Dental Health for Maine Children and Adults with Low Incomes
- L.D. 164 An Act To Establish Maximum Contaminant Levels under the State's Drinking Water Rules for Certain Perfluoroalkyl and Polyfluoroalkyl Substances
- L.D. 196 Resolve, To Ensure Access to Community Mental Health Services
- L.D. 283 Resolve, To Address Inequities for Certain Direct Care Workers
- L.D. 360 Resolve, To Reduce Barriers to Recovery from Addiction by Expanding Eligibility for Targeted Case Management Services
- L.D. 423 An Act To Improve Access to Bariatric Care in Nursing Homes
- L.D. 499 An Act To Eliminate the Waiting Lists for Older and Disabled Residents Who Are Eligible To Receive Home-based Care
- L.D. 592 An Act To Ensure Access to Outpatient Mental Health Services by Increasing Reimbursement for Outpatient Therapists (EMERGENCY)
- L.D. 739 An Act Regarding Credible Allegations of Fraud by MaineCare Providers
- L.D. 843 An Act To Create a Pathway to Housing Stability for Homeless Young People and Those at Risk of Entering and Those Exiting Corrections Systems
- L.D. 873 Resolve, To Waive Reductions to Nursing Facility Reimbursement Resulting from Payroll Protection Program Loans and Grants (EMERGENCY)
- L.D. 878 Resolve, To Increase MaineCare Reimbursement Rates for Services Provided by Direct Care Workers (EMERGENCY)
- L.D. 962 An Act To Appropriate Funds To Eliminate Waiting Lists for Home and Community-based Services for Adults with Intellectual Disabilities, Autism, Brain Injury and Other Related Conditions
- L.D. 968 Resolve, To Expand Mental Health Crisis Intervention Mobile Response Services
- L.D. 1074 An Act To Permit the Conduct of Open Air Cremation at Designated Scattering Sites
- L.D. 1077 Resolve, To Promote Equity in COVID-19 Immunizations (EMERGENCY)
- L.D. 1148 Resolve, To Increase Broadband Access in Private Nonmedical Institutions
- L.D. 1157 An Act To Ensure MaineCare Reimbursement Rates for Home and Community-based Services for Persons with Intellectual Disabilities or Autism Are Adjusted in Accordance with Increases in State and Municipal Minimum Wage
- L.D. 1173 Resolve, To Develop a Plan To Treat in Maine Those Children with Behavioral Health Needs Currently Treated Outside the State (EMERGENCY)
- L.D. 1177 An Act To Increase Access to Intranasal Naloxone Hydrochloride for Syringe Services Programs
- L.D. 1223 An Act To Allow Crematories Using Chemical Dissolution Processes in Facilities Other Than Cemeteries
- L.D. 1267 Resolve, To Provide Medicaid Rate Increases for Professionals Working with Individuals with Intellectual or Developmental Disabilities
- L.D. 1282 An Act To Prevent Underage Tobacco and Nicotine Access and Use
- L.D. 1301 An Act To Support Transitional Housing for Persons Experiencing Abuse, Dangerous Living Conditions, Economic Insecurity Due to Divorce or Separation, Chronic Homelessness, Substance Use Disorder or Mental Disorders
- L.D. 1302 Resolve, To Change the Educational Requirements of Certain Behavioral Health Professionals (EMERGENCY)
- L.D. 1325 An Act To Provide Relief from Audit Requirements for Certain Health Care Facilities during a State of Emergency (EMERGENCY)
- L.D. 1385 An Act To Provide for Timely Placement with Respect to Violent Patients in Hospital Emergency Rooms
- L.D. 1388 An Act To Require Testing of Public Drinking Water Supplies for Toxic Perfluoroalkyl and Polyfluoroalkyl Substances and To Establish Maximum Contaminant Levels
- L.D. 1460 An Act To Revise the Department of Health and Human Services Rehabilitation and Reunification Process
- L.D. 1477 Resolve, Directing the Department of Health and Human Services To Collaborate with the Long-term Care Ombudsman Program To Convene a Stakeholder Group To Make Recommendations for In-home Rehabilitation Services

- L.D. 1487 Resolve, Directing the Department of Health and Human Services To Seek a Waiver for Additional Medication-assisted Treatment for Certain Persons with Substance Use Disorder up to 30 Days Prior to Their Release from Incarceration
- L.D. 1535 An Act To Allow Green Death Care Practices by Alkaline Hydrolysis and Natural Organic Reduction
- L.D. 1547 An Act To Promote Intergovernmental Coordination Regarding Age-friendly State Initiatives
- L.D. 1657 An Act To Protect the Health, Safety and Comfort of Elderly Residents and Residents with Disabilities by Ensuring Backup Access to Electrical Power in Certain Facilities during Power Outages
- Health Coverage, Insurance and Financial Services
- L.D. 56 An Act To Prohibit Insurers and Third-party Payors from Adjusting Their Fee Schedules for In-network Providers Unless the Adjustments Apply to All Specialties
- L.D. 167 An Act To Limit Late Medical Billing to 6 Months
- L.D. 365 An Act To Protect Consumers from Surprise Medical Bills
- L.D. 367 An Act To Require Timely Billing for Health Care Services
- L.D. 530 An Act To Consolidate Patient Bills by Directing Health Insurers To Collect Copayments and Deductibles
- L.D. 540 An Act To Promote Safety and Protect Consumers Using Peer-to-peer Car Sharing Programs
- L.D. 556 An Act Regarding Copayment and Coinsurance Issues for Chiropractors
- L.D. 922 An Act To Help Cancer Patients with Fertility Preservation
- L.D. 951 An Act To Improve Transparency of Medical Billing
- L.D. 984 An Act To Allow Procurement of Surplus Lines Insurance for Commercial Forestry and Construction Equipment
- L.D. 1119 An Act To Limit Credit Card Fees by Requiring Monthly Credit Card Billing
- L.D. 1120 An Act To Allow Dentists To Receive Continuing Education Credits for Uncompensated Volunteer Work
- L.D. 1151 An Act To Lower Out-of-pocket Prescription Medicine Costs by Requiring Health Insurers To Offer Plans with No Deductibles
- L.D. 1281 An Act To Prohibit Discriminatory Practices in Certain Health Insurance Policies
- L.D. 1341 An Act To Protect Medicare Beneficiaries from Surprise Medical Billing
- L.D. 1347 An Act To Clarify That Commercial Service Contracts Are Excluded from the Service Contracts Act
- L.D. 1349 An Act To Increase Transparency in Dental Billing
- L.D. 1353 An Act To Require the Public Posting of the Costs of Medical Procedures, Services, Medications and Equipment Delivered in Hospitals and the Reporting of Those Costs upon Request
- L.D. 1457 An Act To Improve Access to Dental Hygiene by Authorizing Dental Hygienists To Perform Dental Hygiene Diagnosis
- L.D. 1481 An Act To Clarify Surprise Billing Restrictions
- L.D. 1531 An Act To Provide Affordable Behavioral Health Services to Individuals under 26 Years of Age (EMERGENCY)
- L.D. 1544 An Act Regarding Credit and Debit Card Merchant Fees
- L.D. 1627 An Act To Enhance Behavioral Health Services To Better Protect Maine Residents
- Inland Fisheries and Wildlife
- L.D. 89 An Act To Regulate Airboats
- L.D. 257 An Act To Expand the Hunting Season for Deer
- L.D. 356 An Act To Increase Opportunities for Seniors and Persons with Disabilities To Participate in Moose Hunting
- L.D. 433 An Act To Allow Winners of Moose Permits To Sell Subpermittee Selections
- L.D. 692 An Act To Establish the Operation Game Thief Fund and Allow an Applicant for a State Hunting or Fishing License To Make a Donation To Prevent Illegal Hunting and Fishing
- L.D. 944 An Act To Simplify Dual Registration of Snowmobiles and All-terrain Vehicles
- L.D. 1015 An Act To Ban Hunting with Ammunition That Contains Lead
- L.D. 1054 An Act To Allow Hunting on Sundays with Written Consent on Private Property
- L.D. 1081 An Act Regarding the Special Guides Permit Drawings
- L.D. 1153 An Act To Restrict Combustion Engines on Webber Pond in Bremen
- L.D. 1265 An Act To Control the Means of Hunting Coyotes
- Innovation, Development, Economic Advancement and Business
- L.D. 105 An Act To Adopt the Department of Economic and Community Development's 10-year Economic Development Strategy for Maine
- L.D. 992 An Act To Prevent the Denial or Revocation of a Professional or Business License for a Violation Not Related to That Profession or Business
- L.D. 1087 An Act To Save Maine Businesses
- L.D. 1297 An Act To Provide Educational Opportunities for Family Members of Deceased Veterans, First Responders and Health Care Workers
- L.D. 1309 An Act To Address Systemic Racism and Improve Economic Prosperity
- L.D. 1615 An Act To Implement Strategies Relating to Blockchain, Cryptocurrency and Other Financial Technology
- Judiciary
- L.D. 627 An Act Relating to the Statute of Limitations for Injuries or Harm Resulting from Perfluoroalkyl and Polyfluoroalkyl Substances
- L.D. 660 An Act Regarding Protection from Power Outages for Tenants 65 Years of Age and Older in Subsidized Housing
- L.D. 767 An Act To Allow the Participation of Marine Patrol Officers in Proceedings for Administrative Suspension of a License or Certificate
- L.D. 793 An Act To Include as a Factor in Sentencing the Selection of a Victim Based on the Victim's Employment as a Law Enforcement Officer
- L.D. 795 An Act To Address Rental Housing Policies
- L.D. 917 An Act Regarding Electronic Monitoring of Pretrial and Post-conviction Defendants
- L.D. 1374 An Act To Extend the Time Period for Filing a Complaint under the Maine Human Rights Act for Discrimination Based on an Alleged Sexual Act, Sexual Contact or Sexual Touching
- L.D. 1578 An Act To Permit Remote Access for Public Proceedings
- Labor and Housing
- L.D. 182 An Act To Expand the Definition of "Essential Worker" To Include Retail and Food Service Workers
- L.D. 425 Resolve, Directing the Department of Labor To Establish a State Unemployment Program for Self-employed Workers and Independent Contractors (EMERGENCY)

- L.D. 567 An Act To Amend the Penalty for Early Retirement for Certain Members of the Maine Public Employees Retirement System
- L.D. 832 An Act To Promote Immigrant Workforce Development and Community Integration
- L.D. 839 An Act To Address Unemployment Issues Facing School Employees
- L.D. 997 An Act To Support Maine's Corrections Officers and E-9-1-1 Dispatchers
- L.D. 1233 An Act To Determine How Many Employees of Large Companies in Maine Receive Public Benefits
- L.D. 1239 An Act Establishing Employers' Right To File a Complaint To Enforce Payment of Workers' Compensation Premiums
- L.D. 1322 Resolve, Directing the Maine State Housing Authority To Allow Rental Housing Owners To Apply for Emergency Rental Relief Assistance (EMERGENCY)
- L.D. 1464 An Act To Improve Accessibility of Affordable Housing Data
- L.D. 1519 An Act To Increase Workplace Transparency with Regard to Arbitration Agreements, the Rights of Employees and Legal Remedies
- Marine Resources
- L.D. 1146 An Act To Protect Maine's Ocean Waters and Support Regulatory Oversight and the Long-term Health of the Aquaculture Industry
- L.D. 1211 Resolve, To Create the Study Group To Research Balancing Development and Conservation in Maine's Coastal Waters and Submerged Lands (EMERGENCY)
- State and Local Government
- L.D. 442 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Create the Office of Lieutenant Governor
- L.D. 462 An Act To Reexamine the Relationship among County, Municipal and State Governments
- L.D. 806 An Act To Clarify That Municipal Officers May Accept a Proposed, Unaccepted Way for Pedestrian, Bicycle and Other Nonmotorized Use
- L.D. 1199 An Act To Require Education and Training Regarding Media Literacy for Legislators and Legislative Staff
- L.D. 1394 An Act To Prohibit Legislators from Legislating While Intoxicated
- L.D. 1515 An Act To Create a People's Revisor
- Taxation
- L.D. 94 An Act To Allow Municipalities To Exempt Volunteer Firefighters from Paying Excise Tax on Their Vehicles Used To Respond to Fire Calls
- L.D. 659 An Act To Ease the Property Tax Burden by Authorizing Municipalities To Require Payments in Lieu of Taxes from Certain Exempt Organizations
- L.D. 724 An Act To Base the Vehicle and Mobile Home Excise Tax on Actual Value
- L.D. 740 An Act To Provide Municipalities a Percentage of the Revenue Generated from the Taxes Imposed on the Sale of Recreational Marijuana in Those Municipalities
- L.D. 950 An Act To Improve Maine's Economic Development Incentives
- L.D. 970 An Act To Base the Motor Vehicle Excise Tax on Actual Sale Price
- L.D. 1118 An Act To Promote Reliable Rural High-speed Internet
- L.D. 1166 An Act To Increase the Property Tax Exemption for Veterans by 50 Percent
- L.D. 1174 An Act To Allow Municipalities To Send Separate Tax Bills for Municipal, County and School Taxes
- L.D. 1181 An Act To Reduce Property Taxes on the Primary Residence of Veterans Who Are 100 Percent Disabled Due to Service-connected Disabilities
- L.D. 1185 An Act To Distribute Tax Revenue To Offset Costs Incurred by Adult Use Marijuana Host Municipalities
- L.D. 1203 An Act To Amend the Application of the Excise Tax on Noncommercial Watercraft Temporarily in the State
- L.D. 1247 An Act To Place a Moratorium on Property Revaluations for Tax Purposes during a State of Emergency
- L.D. 1257 An Act To Encourage Inclusionary Zoning in Municipalities by Increasing Revenue Sharing
- L.D. 1283 An Act To Amend the Maine Tree Growth Tax Law To Encourage Public Access
- Transportation
- L.D. 200 An Act To Allow the Secretary of State To Refuse To Issue or To Recall a Vanity Registration Plate with Vulgar, Obscene, Contemptuous or Profane Language
- L.D. 252 An Act To Expand Training Opportunities for Department of Transportation Workers
- L.D. 258 An Act To Expand Eligibility for Special Emergency Medical Services Registration Plates to Ambulance Operators
- L.D. 289 An Act To Authorize the Secretary of State To Reject Certain Vanity License Plate Requests
- L.D. 458 An Act To Support Public Transportation Infrastructure in York and Cumberland Counties
- L.D. 689 An Act To Allow Trucks To Use the Leftmost Lane of a Three-lane Interstate Highway To Safely Accommodate Entering and Exiting Vehicles
- L.D. 704 An Act To Amend the Laws Governing Culvert Replacement
- L.D. 836 An Act To Enhance Compliance with Motor Vehicle Insurance Requirements
- L.D. 925 Resolve, Directing the Department of Transportation To Develop a Plan To Redevelop Exit 5 of Interstate 295 in Portland
- L.D. 990 An Act Regarding Veterans License Plates
- L.D. 1124 An Act To Change the Threshold for Creating a Specialty License Plate from 2,000 Prepaid Orders to 1,000 Prepaid Orders and To Extend by One Year the Time Allowed for Gathering Signatures
- L.D. 1183 An Act To Establish a License Plate in Support of Multiple Sclerosis Programs
- L.D. 1230 An Act To Enhance Traffic Safety with Regard to the Operation of Bicycles on Public Ways
- L.D. 1271 An Act To Improve Access to Automobile Insurance and Employment by Clarifying Driving Records
- L.D. 1321 An Act To Provide Protection for Tractors When Using Public Ways (EMERGENCY)
- L.D. 1359 An Act To Change Driver's License Requirements Regarding Sleep Apnea
- L.D. 1372 An Act To Collect Data To Assess the Need and Plan for Noise Abatement by the Maine Turnpike Authority
- L.D. 1398 An Act To Change Driver's License Requirements for Obstructive Sleep Apnea
- Veterans and Legal Affairs
- L.D. 208 An Act To Expand Access to Absentee Ballots
- L.D. 301 An Act Regarding Adult Use Marijuana
- L.D. 456 An Act To Protect Voter Identification by Prohibiting a Voter's Party Designation from Appearing on Absentee Ballot Envelopes
- L.D. 525 An Act To Allow Medical and Adult Use Marijuana Stores To Share a Common Space

L.D. 526 An Act To Require an Affidavit for Every Independent Expenditure Influencing an Election and To Penalize the Use of Mistruths
L.D. 613 An Act To Amend the Adult Use Marijuana Program Rules and Make Other Technical Changes
L.D. 623 An Act To Amend the Advance Deposit Wagering Laws
L.D. 827 An Act To Help Veterans Access Jobs, Education and Housing
L.D. 914 An Act To Meet the State's Obligation To Pay 55 Percent of Education Costs
L.D. 948 An Act To Support Boys and Girls Clubs through Lottery Revenue
L.D. 1013 An Act To Provide Absentee Ballot Tracking for Maine Voters
L.D. 1029 An Act To Amend the Marijuana Legalization Act and the Laws Governing the Taxation of Marijuana (EMERGENCY)
L.D. 1093 An Act To Expand the Options for Shipping Wine Directly to Customers
L.D. 1125 An Act To Define "Leadership Political Action Committee"
L.D. 1164 An Act To Expand the Application Period for Absentee Ballot Requests and Allow Early Processing of Absentee Ballots
L.D. 1165 An Act To Provide Secured Drop Boxes for Absentee Ballots
L.D. 1249 An Act Regarding the Testing and Safety of Marijuana and Marijuana Products
L.D. 1276 An Act To Ensure All Legal Voters Are Able To Participate in Elections
L.D. 1284 An Act To Amend the Maine Clean Election Act and Related Laws
L.D. 1285 An Act To Require an Official Declaration of War or a Congressional Action To Call Out the State Militia before the Maine National Guard Is Released for Combat Duty
L.D. 1308 An Act To Allow the Adjutant General of the Maine National Guard To Request Quick Response Funds from the Maine Budget Stabilization Fund after Receiving Authorization from the Governor
L.D. 1354 Resolve, To Study the Establishment of a System of Voting by Mail
L.D. 1375 An Act To Permit Online Absentee Voting
L.D. 1414 An Act To Prohibit Candidates for President or Federal Office from Donating to State Political Action Committees
L.D. 1442 An Act Regarding Publicly Financed Legislative Candidates in Competitive Primaries
L.D. 1445 An Act To Require the Testing of Marijuana for Medical Use
L.D. 1452 An Act To Amend the Law Regarding the Advertising and Marketing of Adult Use Marijuana
L.D. 1492 An Act To Provide More Choice for Maine Consumers in the Purchase of Spirits
L.D. 1495 An Act To Help Veterans Who Are Caregivers of Children with Special Needs and of Family Members To Optimize Their Respite Hours
L.D. 1558 An Act To Require Campaign Finance Reports for State and County Candidates Other Than Governor To Be Filed on the 42nd Day before Any Election

Sincerely,
S/Robert B. Hunt
Clerk of House

READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 150)
**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

May 19, 2021

Honorable Ryan M. Fecteau
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear Speaker Fecteau:

Pursuant to Joint Rule 310, the Committee on Education and Cultural Affairs has approved the request by the sponsor, Representative Stover of Boothbay, to report the following "Leave to Withdraw:"

L.D. 1483 An Act Regarding Sexual Misconduct and Intimate Partner Violence Policies at Institutions of Higher Education

Pursuant to Joint Rule 310, the Committee on Environment and Natural Resources has approved the request by the sponsor, Representative Talbot Ross of Portland, to report the following "Leave to Withdraw:"

L.D. 726 An Act To Combat Climate Change and Address Its Impact in Maine

Pursuant to Joint Rule 310, the Committee on Environment and Natural Resources has approved the request by the sponsor, Representative O'Connor of Berwick, to report the following "Leave to Withdraw:"

L.D. 1006 An Act To Allow the Sale of Ethanol-free Gasoline Statewide

Pursuant to Joint Rule 310, the Committee on Health Coverage, Insurance and Financial Services has approved the request by the sponsor, Senator Brenner of Cumberland, to report the following "Leave to Withdraw:"

L.D. 1576 Resolve, To Establish and Fund a Medical Professionals Health Program from Health Care Provider License Fees

Pursuant to Joint Rule 310, the Committee on Inland Fisheries and Wildlife has approved the request by the sponsor, Representative Landry of Farmington, to report the following "Leave to Withdraw:"

L.D. 389 An Act To Amend the Laws Regarding Inland Fisheries and Wildlife

Pursuant to Joint Rule 310, the Committee on Judiciary has approved the request by the sponsor, Representative Moriarty of Cumberland, to report the following "Leave to Withdraw:"

L.D. 905 An Act To Enact the Uniform Voidable Transactions Act

Pursuant to Joint Rule 310, the Committee on Judiciary has approved the request by the sponsor, Speaker Fecteau of Biddeford, to report the following "Leave to Withdraw:"

L.D. 1538 An Act To Protect the Rights of People Who Are LGBTQ in Maine

Sincerely,
S/Robert B. Hunt
Clerk of the House

READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: (S.P. 452)

**MAINE SENATE
130TH LEGISLATURE
OFFICE OF THE SECRETARY**

April 5, 2021

Hon. Troy D. Jackson
President of the Senate
130th Legislature
Hon. Ryan M. Fecteau
Speaker of the House
130th Legislature

Dear Mr. President and Mr. Speaker:

On April 5, 2021, 16 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on April 5, 2021, as follows:

Criminal Justice and Public Safety

Bill "An Act To Limit the Decibel Level of Fireworks Near Working Farms" (S.P. 430) (L.D. 1348) (Sponsored by Senator CYRWAY of Kennebec)

Bill "An Act To Amend Certain Provisions of the Maine Criminal Code and the Maine Bail Code" (S.P. 436) (L.D. 1351) (Sponsored by Senator LAWRENCE of York)

Energy, Utilities and Technology

Bill "An Act To Expand Maine's Clean Energy Economy" (S.P. 432) (L.D. 1350) (Sponsored by Senator VITELLI of Sagadahoc) (Cosponsored by Representative GROHOSKI of Ellsworth and Senators: President JACKSON of Aroostook, STEWART of Aroostook, LAWRENCE of York, Representatives: TUCKER of Brunswick, McCREIGHT of Harpswell, TEPLER of Topsham)

Health and Human Services

Bill "An Act To Provide Services to Maine's Most Vulnerable Citizens by Eliminating the Waiting Lists for Certain MaineCare Services" (EMERGENCY) (S.P. 447) (L.D. 1360) (Sponsored by Senator KEIM of Oxford) (Cosponsored by Senator: MOORE of Washington, Representative: WHITE of Waterville)

Health Coverage, Insurance and Financial Services

Bill "An Act To Increase Transparency in Dental Billing" (S.P. 431) (L.D. 1349) (Sponsored by Senator VITELLI of Sagadahoc) (Cosponsored by Senators: MOORE of Washington, BRENNER of Cumberland, Representatives: TEPLER of Topsham, STOVER of Boothbay, PAULHUS of Bath)

Bill "An Act To Require the Public Posting of the Costs of Medical Procedures, Services, Medications and Equipment Delivered in Hospitals and the Reporting of Those Costs upon Request" (S.P. 439) (L.D. 1353) (Sponsored by Senator MIRAMANT of Knox) (Cosponsored by Representative HARNETT of Gardiner and Senators: LIBBY of Androscoggin, HICKMAN of Kennebec, CLAXTON of Androscoggin, MAXMIN of Lincoln, Representatives: WARREN of Hallowell, ZEIGLER of Montville, COPELAND of Saco, WILLIAMS of Bar Harbor)

Bill "An Act To Require Private Insurance Coverage for Postpartum Care" (S.P. 443) (L.D. 1357) (Sponsored by Senator CARNEY of Cumberland) (Cosponsored by Representative ZAGER of Portland and Senators: VITELLI of Sagadahoc, BRENNER of Cumberland, Representative: PIERCE of Falmouth)

Bill "An Act To Amend Telehealth Laws Regarding Out-of-state Telehealth Provisions" (S.P. 448) (L.D. 1361) (Sponsored by Senator STEWART of Aroostook) (Cosponsored by Senator: TIMBERLAKE of Androscoggin, Representative: MORRIS of Turner)

Taxation

Bill "An Act To Amend the Motor Vehicle Excise Tax Exemption for Veterans Who Are Disabled" (S.P. 441) (L.D. 1355) (Sponsored by Senator POULIOT of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.)

Bill "An Act To Excuse Certain Marketplace Sellers and Facilitators for Failing To Collect and Remit Sales and Use Taxes on Ammunition Sales" (S.P. 449) (L.D. 1362) (Sponsored by Senator DAVIS of Piscataquis) (Cosponsored by Representative HANLEY of Pittston and Senator: POULIOT of Kennebec, Representative: COREY of Windham)

Transportation

Bill "An Act Regarding the Placement of Temporary Signs" (S.P. 442) (L.D. 1356) (Sponsored by Senator MOORE of Washington)

Bill "An Act To Change Driver's License Requirements Regarding Sleep Apnea" (S.P. 445) (L.D. 1359) (Sponsored by Senator BENNETT of Oxford)

Veterans and Legal Affairs

Bill "An Act To Regulate Sports Betting" (S.P. 437) (L.D. 1352) (Sponsored by Senator LUCHINI of Hancock)

Resolve, To Study the Establishment of a System of Voting by Mail (S.P. 440) (L.D. 1354) (Sponsored by Senator MIRAMANT of Knox) (Cosponsored by Representative HARNETT of Gardiner and Senators: President JACKSON of Aroostook, DAUGHTRY of Cumberland, HICKMAN of Kennebec, VITELLI of Sagadahoc, SANBORN of Cumberland, DILL of Penobscot, Representatives: ZEIGLER of Montville, WILLIAMS of Bar Harbor)

Bill "An Act To Provide for the Direct Shipment of Spirits to Consumers" (S.P. 444) (L.D. 1358) (Sponsored by Senator STEWART of Aroostook) (Cosponsored by Representative: PIERCE of Falmouth)

Bill "An Act To Amend the Laws Governing Elections" (S.P. 450) (L.D. 1363) (Sponsored by Senator LUCHINI of Hancock) (Cosponsored by Representative CIAZZO of Scarborough) (Submitted by the Secretary of State pursuant to Joint Rule 204)

Sincerely,

S/Darek M. Grant
Secretary of the Senate
S/Robert B. Hunt
Clerk of the House

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE** in concurrence.

The Following Communication: (S.P. 473)

**MAINE SENATE
130TH LEGISLATURE
OFFICE OF THE SECRETARY**

April 8, 2021

Hon. Troy D. Jackson
President of the Senate
130th Legislature
Hon. Ryan M. Fecteau
Speaker of the House
130th Legislature

Dear Mr. President and Mr. Speaker:

On April 8, 2021, 19 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on April 8, 2021, as follows:

Agriculture, Conservation and Forestry

Bill "An Act To Provide That a Forestry Operation That Conforms to Accepted Practices May Not Be Declared a Nuisance" (S.P. 457) (L.D. 1407) (Sponsored by Senator BLACK of Franklin)

Criminal Justice and Public Safety

Bill "An Act To Increase the Protection of Children from Domestic Abuse and Violence" (S.P. 458) (L.D. 1408) (Sponsored by Senator DIAMOND of Cumberland) (Cosponsored by Senators: DESCHAMBAULT of York, POULIOT of Kennebec, Representative: WHITE of Waterville)

Bill "An Act To Strengthen Laws Protecting Members of Law Enforcement and Promote In-classroom Drug Use Avoidance Education" (S.P. 472) (L.D. 1422) (Sponsored by Senator STEWART of Aroostook) (Cosponsored by Senator: CYRWAY of Kennebec, Representatives: PICKETT of Dixfield, NEWMAN of Belgrade)

Education and Cultural Affairs

Bill "An Act To Require the Department of Education To Provide Information to Students Allowing Them To Make Informed Choices Regarding Their Education and Professional Futures" (S.P. 462) (L.D. 1412) (Sponsored by Senator POULIOT of Kennebec) (Cosponsored by Representative STEARNS of Guilford and Senator: STEWART of Aroostook)

Energy, Utilities and Technology

Bill "An Act Regarding High-impact Electric Transmission Lines" (S.P. 459) (L.D. 1409) (Sponsored by Senator LAWRENCE of York)

Environment and Natural Resources

Bill "An Act Regarding Minor Revisions to Existing Site Location Permits, Exemptions for Rerouting Storm Water and Exemptions for New Construction or Modification of an Existing Licensed Development under the Site Location of Development Laws" (S.P. 465) (L.D. 1415) (Sponsored by Senator BREEN of Cumberland) (Cosponsored by Senator: SANBORN of Cumberland, Representatives: RIELLY of Westbrook, SALISBURY of Westbrook)

Health Coverage, Insurance and Financial Services

Bill "An Act To Adopt the Peer-to-Peer Car Sharing Program Model Act" (S.P. 470) (L.D. 1420) (Sponsored by Senator STEWART of Aroostook)

Innovation, Development, Economic Advancement and Business

Resolve, Directing the Department of Economic and Community Development To Update Its Current Priorities under the Northern Border Regional Commission's Allowable Grant Requests To Include Support of Population Growth Strategies around the State in Concert with the State's 10-year Economic Development Strategy (EMERGENCY) (S.P. 471) (L.D. 1421) (Sponsored by Senator STEWART of Aroostook) (Cosponsored by Representative BAILEY of Gorham)

Judiciary

Bill "An Act To Limit Qualified Immunity of Law Enforcement Officers in Maine Civil Rights Act Claims" (S.P. 466) (L.D. 1416) (Sponsored by Senator CARNEY of Cumberland) (Cosponsored by Representative MORALES of South Portland)

Bill "An Act To Support Health Care Providers during State Public Health Emergencies" (S.P. 469) (L.D. 1419) (Sponsored by Senator MOORE of Washington) (Cosponsored by Senator: STEWART of Aroostook)

State and Local Government

Bill "An Act To Establish the Maine Buy American and Build Maine Act" (S.P. 461) (L.D. 1411) (Sponsored by President JACKSON of Aroostook) (Cosponsored by Representative BRYANT of Windham and Senators: CLAXTON of Androscoggin, MAXMIN of Lincoln, BALDACCI of Penobscot,

RAFFERTY of York, Representatives: Speaker FECTEAU of Biddeford, MATLACK of St. George, DOUDERA of Camden)

Taxation

Bill "An Act To Encourage Relocation to Rural Maine" (S.P. 455) (L.D. 1406) (Sponsored by Senator STEWART of Aroostook)

Bill "An Act To Incentivize the Development of the Labor Force in the Green Jobs Sector through Assistance in Repaying Student Loan Debt" (S.P. 460) (L.D. 1410) (Sponsored by Senator BRENNER of Cumberland) (Cosponsored by Representative PLUECKER of Warren and Senators: BENNETT of Oxford, President JACKSON of Aroostook, MAXMIN of Lincoln, CHIPMAN of Cumberland, Representatives: TERRY of Gorham, McDONALD of Stonington, FAULKINGHAM of Winter Harbor)

Bill "An Act To Provide Equity in the State Income Tax Deduction for Certain Public Employees Retirement System Pensions" (S.P. 463) (L.D. 1413) (Sponsored by Senator RAFFERTY of York) (Cosponsored by Representative MILLETT of Cape Elizabeth and Senator: BALDACCI of Penobscot, Representatives: STEARNS of Guilford, ROCHE of Wells, BABBIDGE of Kennebunk)

Bill "An Act To Allow a Local Option Sales Tax on Meals and Lodging" (S.P. 468) (L.D. 1418) (Sponsored by Senator LUCHINI of Hancock)

Veterans and Legal Affairs

Bill "An Act To Legalize Sports Betting and Strengthen Public Education" (S.P. 453) (L.D. 1404) (Sponsored by Senator BALDACCI of Penobscot) (Cosponsored by Representative: CARDONE of Bangor)

Bill "An Act To Regulate, Tax and Control Sports Wagering" (S.P. 454) (L.D. 1405) (Sponsored by President JACKSON of Aroostook) (Cosponsored by Representative MCCREIGHT of Harpswell and Senators: CYRWAY of Kennebec, CHIPMAN of Cumberland, Representatives: PARRY of Arundel, DOORE of Augusta, LANDRY of Farmington)

Bill "An Act To Prohibit Candidates for President or Federal Office from Donating to State Political Action Committees" (S.P. 464) (L.D. 1414) (Sponsored by Senator TIMBERLAKE of Androscoggin) (Cosponsored by Representative KINNEY of Knox and Senators: FARRIN of Somerset, STEWART of Aroostook, Representative: COREY of Windham)

Bill "An Act Regarding Campaign Finance Reform" (S.P. 467) (L.D. 1417) (Sponsored by Senator LUCHINI of Hancock) (Cosponsored by Senator: President JACKSON of Aroostook)

Sincerely,
S/Darek M. Grant
Secretary of the Senate
S/Robert B. Hunt
Clerk of the House

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE** in concurrence.

The Following Communication: (S.P. 482)

**MAINE SENATE
130TH LEGISLATURE
OFFICE OF THE SECRETARY**

April 12, 2021

Hon. Troy D. Jackson
President of the Senate
130th Legislature
Hon. Ryan M. Fecteau
Speaker of the House
130th Legislature

Dear Mr. President and Mr. Speaker:

On April 12, 2021, 8 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on April 12, 2021, as follows:

Criminal Justice and Public Safety

Bill "An Act To Exempt Land-based Aquaculture Facilities from the Maine Uniform Building and Energy Code Requirements" (EMERGENCY) (S.P. 476) (L.D. 1473) (Sponsored by Senator ROSEN of Hancock) (GOVERNOR'S BILL)

Bill "An Act To Ensure Access to and Availability of Violence Intervention Services To Reduce Domestic Violence in Maine" (S.P. 478) (L.D. 1491) (Sponsored by Senator DESCHAMBAULT of York) (Cosponsored by Representative WARREN of Hallowell and Representatives: COREY of Windham, RECKITT of South Portland, FAY of Raymond, MORALES of South Portland)

Energy, Utilities and Technology

Bill "An Act To Enhance the ConnectMaine Authority's Capacity To Provide World-class Internet" (S.P. 477) (L.D. 1484) (Sponsored by Senator BENNETT of Oxford) (Cosponsored by Representative BERRY of Bowdoinham and Senator: MAXMIN of Lincoln, Representative: SKOLFIELD of Weld)

Environment and Natural Resources

Bill "An Act To Establish a Stewardship Program for Packaging" (S.P. 474) (L.D. 1471) (Sponsored by Senator DILL of Penobscot) (Cosponsored by Senator: POULIOT of Kennebec, Representatives: SKOLFIELD of Weld, DUNPHY of Old Town, WHITE of Waterville)

Health Coverage, Insurance and Financial Services

Bill "An Act To Create Limited Lines Self-storage Insurance" (S.P. 481) (L.D. 1494) (Sponsored by Senator SANBORN of Cumberland)

Innovation, Development, Economic Advancement and Business

Resolve, Directing the Department of Economic and Community Development To Create and Administer a Fund To Provide Seasonal and Tourism Industry Recovery Grants (EMERGENCY) (S.P. 480) (L.D. 1493) (Sponsored by Senator RAFFERTY of York) (Cosponsored by Representative BABBIDGE of Kennebunk and Senators: DAUGHTRY of Cumberland, BALDACCI of Penobscot, Representatives: CEBRA of Naples, HYMANSON of York, WADSWORTH of Hiram, DODGE of Belfast, CUDDY of Winterport, WHITE of Waterville)

State and Local Government

Bill "An Act To Require Legislative Approval for the State's Participation in Compacts, Programs and Agreements Regarding Transportation and Climate Change" (S.P. 475) (L.D. 1472) (Sponsored by Senator GUERIN of Penobscot)

Veterans and Legal Affairs

Bill "An Act To Provide More Choice for Maine Consumers in the Purchase of Spirits" (S.P. 479) (L.D. 1492) (Sponsored by Senator FARRIN of Somerset) (Cosponsored by Representative: ANDREWS of Paris)

Sincerely,
S/Darek M. Grant
Secretary of the Senate
S/Robert B. Hunt
Clerk of the House

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE** in concurrence.

The Following Communication: (S.P. 488)

**MAINE SENATE
130TH LEGISLATURE
OFFICE OF THE SECRETARY**

April 13, 2021

Hon. Troy D. Jackson
President of the Senate
130th Legislature
Hon. Ryan M. Fecteau
Speaker of the House
130th Legislature

Dear Mr. President and Mr. Speaker:

On April 13, 2021, 4 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on April 13, 2021, as follows:

Appropriations and Financial Affairs

Bill "An Act To Establish a Local Fiscal Recovery Funds Program and Allocation" (EMERGENCY) (S.P. 484) (L.D. 1507) (Sponsored by Senator BREEN of Cumberland) (GOVERNOR'S BILL)

Judiciary

Bill "An Act To Prevent Homelessness by Establishing an Eviction Mediation Program" (S.P. 485) (L.D. 1508) (Sponsored by Senator CARNEY of Cumberland) (Cosponsored by Speaker FECTEAU of Biddeford and Senators: President JACKSON of Aroostook, HICKMAN of Kennebec, STEWART of Aroostook, BALDACCI of Penobscot, Representatives: TALBOT ROSS of Portland, MORALES of South Portland, HARNETT of Gardiner) Bill "An Act Concerning Informed Consent of Minors' Authority to Release Health Care Information" (S.P. 487) (L.D. 1510) (Sponsored by Senator KEIM of Oxford)

Labor and Housing

Bill "An Act To Provide That Maine's School Bus Drivers Are Eligible for Unemployment Insurance in Certain Circumstances" (S.P. 486) (L.D. 1509) (Sponsored by Senator DAVIS of Piscataquis)

Sincerely,
S/Darek M. Grant
Secretary of the Senate
S/Robert B. Hunt
Clerk of the House

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE** in concurrence.

The Following Communication: (S.P. 495)

**MAINE SENATE
130TH LEGISLATURE
OFFICE OF THE SECRETARY**

The Following Communication: (S.P. 504)

**MAINE SENATE
130TH LEGISLATURE
OFFICE OF THE SECRETARY**

April 15, 2021

Hon. Troy D. Jackson
President of the Senate
130th Legislature
Hon. Ryan M. Fecteau
Speaker of the House
130th Legislature

Dear Mr. President and Mr. Speaker:

On April 15, 2021, 5 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on April 15, 2021, as follows:

Innovation, Development, Economic Advancement and Business

Bill "An Act To Establish the Maine Workforce, Research, Development and Student Achievement Institute" (S.P. 490) (L.D. 1517) (Sponsored by Senator CURRY of Waldo) (Cosponsored by Senator: DAUGHTRY of Cumberland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.)

Labor and Housing

Bill "An Act To Increase Workplace Transparency with Regard to Arbitration Agreements, the Rights of Employees and Legal Remedies" (S.P. 493) (L.D. 1519) (Sponsored by Senator MIRAMANT of Knox) (Cosponsored by Representative SYLVESTER of Portland and Senator: President JACKSON of Aroostook, Representative: GEIGER of Rockland)

State and Local Government

Bill "An Act To Terminate the Augusta Downtown Parking District" (S.P. 494) (L.D. 1520) (Sponsored by Senator POULIOT of Kennebec) (Cosponsored by Representative FECTEAU of Augusta) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.)

Taxation

Bill "An Act To Amend the Property Tax Exemption for Persons Who Are Legally Blind" (S.P. 489) (L.D. 1516) (Sponsored by Senator POULIOT of Kennebec) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.)

Veterans and Legal Affairs

Bill "An Act To Support Maine's Tasting Rooms and Restaurants during the COVID-19 Pandemic" (EMERGENCY) (S.P. 491) (L.D. 1518) (Sponsored by President JACKSON of Aroostook) (Cosponsored by Senators: HICKMAN of Kennebec, LUCHINI of Hancock, Representatives: MARTIN of Sinclair, CAIAZZO of Scarborough)

Sincerely,

S/Darek M. Grant
Secretary of the Senate
S/Robert B. Hunt
Clerk of the House

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE** in concurrence.

April 20, 2021

Hon. Troy D. Jackson
President of the Senate
130th Legislature
Hon. Ryan M. Fecteau
Speaker of the House
130th Legislature

Dear Mr. President and Mr. Speaker:

On April 20, 2021, 6 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on April 20, 2021, as follows:

Agriculture, Conservation and Forestry

Resolve, Authorizing the State To Convey to the Passamaquoddy Tribe the State's Interest in a Certain Parcel of Land in the Town of Meddybemps (S.P. 502) (L.D. 1560) (Sponsored by Senator MOORE of Washington) (GOVERNOR'S BILL)

Energy, Utilities and Technology

Resolve, To Create the Commission To Study and Recommend a Financing Model To Increase Capital Investment in Renewable Energy, Clean Energy Technology, Energy Efficiency Projects and Jobs in Maine (EMERGENCY) (S.P. 498) (L.D. 1556) (Sponsored by Senator CARNEY of Cumberland) (Cosponsored by Representative ZEIGLER of Montville and Senators: President JACKSON of Aroostook, BREEN of Cumberland, WOODSOME of York, LAWRENCE of York, Representatives: BERRY of Bowdoinham, Speaker FECTEAU of Biddeford, GROHOSKI of Ellsworth)

Health and Human Services

Bill "An Act To Ensure the Provision of Housing Coordinator Services to Older Adults and Persons with Disabilities" (S.P. 499) (L.D. 1557) (Sponsored by Senator CURRY of Waldo)

Health Coverage, Insurance and Financial Services

Bill "An Act To Amend the Maine Fair Debt Collection Practices Act" (S.P. 503) (L.D. 1561) (Sponsored by Senator SANBORN of Cumberland)

Labor and Housing

Resolve, To Create the Commission To Develop a Paid Family and Medical Leave Benefits Program (EMERGENCY) (S.P. 501) (L.D. 1559) (Sponsored by Senator DAUGHTRY of Cumberland) (Cosponsored by Representative McDONALD of Stonington and Senators: VITELLI of Sagadahoc, CARNEY of Cumberland, Representatives: MILLETT of Cape Elizabeth, Speaker FECTEAU of Biddeford, CLOUTIER of Lewiston, ROEDER of Bangor, BRYANT of Windham)

Veterans and Legal Affairs

Bill "An Act To Require Campaign Finance Reports for State and County Candidates Other Than Governor To Be Filed on the 42nd Day before Any Election" (S.P. 500) (L.D. 1558) (Sponsored by Senator DAUGHTRY of Cumberland) (Cosponsored by Senators: HICKMAN of Kennebec, BAILEY of York)

Sincerely,

S/Darek M. Grant
Secretary of the Senate
S/Robert B. Hunt
Clerk of the House

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.
READ and **ORDERED PLACED ON FILE** in concurrence.

The Following Communication: (S.P. 510)

**MAINE SENATE
130TH LEGISLATURE
OFFICE OF THE SECRETARY**

April 23, 2021
Hon. Troy D. Jackson
President of the Senate
130th Legislature
Hon. Ryan M. Fecteau
Speaker of the House
130th Legislature

Dear Mr. President and Mr. Speaker:

On April 23, 2021, 3 bills were received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on April 23, 2021, as follows:

Health Coverage, Insurance and Financial Services

Bill "An Act Regarding Travel Insurance in the Maine Insurance Code" (S.P. 506) (L.D. 1563) (Sponsored by Senator SANBORN of Cumberland)

Labor and Housing

Bill "An Act To Amend the Laws Governing Unemployment Compensation" (S.P. 507) (L.D. 1564) (Sponsored by Senator VITELLI of Sagadahoc) (Cosponsored by Representative TALBOT ROSS of Portland and Senators: BLACK of Franklin, HICKMAN of Kennebec, Representative: SYLVESTER of Portland) (Submitted by the Department of Labor pursuant to Joint Rule 204.)

Transportation

Bill "An Act To Strengthen the Northern New England Passenger Rail Authority" (S.P. 505) (L.D. 1562) (Sponsored by Senator BENNETT of Oxford) (Cosponsored by Representative CEBRA of Naples and Senators: LIBBY of Androscoggin, MOORE of Washington, CHIPMAN of Cumberland, Representatives: COLLINGS of Portland, O'CONNELL of Brewer)

Sincerely,
S/Darek M. Grant
Secretary of the Senate
S/Robert B. Hunt
Clerk of the House

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE** in concurrence.

ORDERS

On motion of Representative HYMANSON of York, the following Joint Resolution: (H.P. 1222)

**JOINT RESOLUTION RECOGNIZING AUGUST 31, 2021 AS
OVERDOSE AWARENESS DAY IN MAINE**

WHEREAS, substance use disorder is a chronic disease characterized by the problematic, compulsive or difficult-to-control use of drugs and other substances, despite harmful consequences; and

WHEREAS, substance use disorder, particularly when it involves opioid drugs, is seen by both the federal Department of Health and Human Services, Centers for Disease Control and

Prevention and the World Health Organization as a fast-growing epidemic that can all too easily lead to overdose and death; and
WHEREAS, there were 70,980 individuals in the United States who died from drug overdoses in 2019, with 380 of those deaths in Maine; and

WHEREAS, a life cut short by an opioid overdose death is devastating for the family and loved ones left behind and is a tragic reminder of the significant and complex challenges we face in communities throughout the State; and

WHEREAS, for every drug overdose that results in death, there are many more nonfatal overdoses, each taking an emotional and economic toll on individuals, their families and the community at large; and

WHEREAS, a substance use disorder can fuel feelings of shame, guilt, embarrassment, depression and hopelessness, causing individuals to resist seeking treatment and support; and

WHEREAS, Overdose Awareness Day is a global event held on August 31st of each year that aims to raise awareness of drug overdoses, reduce the stigma of a drug-related death and acknowledge the grief felt by families and friends remembering those who died or were permanently injured as a result of a drug overdose; and

WHEREAS, recognizing Overdose Awareness Day in Maine sends a strong message to former and current substance users, namely, that they are valued and that overdose death is preventable; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirtieth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize August 31, 2021 as Overdose Awareness Day; and be it further

RESOLVED: That we recommend that the United States flag and Maine state flag be flown at half-staff on August 31, 2021 in memory of those who have lost their lives to substance use disorder; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the national chapter of Team Sharing, Inc.

READ.

The SPEAKER: The Chair recognizes the Representative from York, Representative Hymanson.

Representative **HYMANSON**: Thank you, Mr. Speaker. Colleagues, this Joint Resolution recognizes August 31, 2021, as Overdose Awareness Day in Maine.

Maine has suffered mightily by the opioid epidemic. From 2010 to 2019, nearly 2700 people; neighbors, friends, colleagues, family in Maine, have died of overdoses.

When my daughter was four, in a dancing recital with her friend, they dressed in shiny frog costumes and hopped gracefully around the stage. My daughter's friend died of an overdose in her early 20s. I mourn her death, feel the grief of her mother; a nurse I worked with.

Ed and Kim Audette live down the street from me. They reached out to me to request this Joint Resolution for their son, Adam. He was 22 when he died January 13, 2017. Kim told me, quote, my life will never be the same and part of me left the day he died. He was the kindest, sweetest boy, who loved his family more than anything in the world. He was taken away from us too early by this terrible disease that he fought to overcome. I want to help other families so they don't have to experience this kind of pain ever.

In 2019, there were 380 Mainers who died of drug overdose. Overdose Awareness Day is a global event held on August 31st of each year that aims to raise awareness of drug overdoses, reduce the stigma of a drug-related death, and

acknowledge the grief felt by families and friends remembering those who died or who were permanently injured as a result of a drug overdose. This Joint Resolution recommends to the Chief Executive that the United States flag and Maine State flag be flown at half-staff on August 31, 2021, in memory of those who have lost their lives to substance use disorder. May it pass this Body. Thank you, Mr. Speaker.

Subsequently, the Joint Resolution was **ADOPTED**.
Sent for concurrence.

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 519 and Joint Rule 213, the following item:

In Memory of:

Lawrence "Punk" House, of North Turner. Mr. House, who was known as "the Mayor of North Turner," operated House's Market until his retirement in 1999. He served with the Turner Volunteer Fire Department, served 2 terms on the School Board and was a Selectman from 2003 to 2013. He was a member, Elder and Lay Pastor of North Turner Presbyterian Church. He also was Brother and Past Master of Nezinscot Lodge No. 101 in Turner and a past member of Kora Temple in Lewiston. Mr. House will be long remembered and sadly missed by his wife of 66 years, LaVerna, his family and friends and all those whose lives he touched;

(HLS 214)

Presented by Representative MORRIS of Turner.

Cosponsored by Senator TIMBERLAKE of Androscoggin.

On **OBJECTION** of Representative MORRIS of Turner, was **REMOVED** from the Special Sentiment Calendar.

READ

The SPEAKER: The Chair recognizes the Representative from Turner, Representative Fecteau.

Representative **MORRIS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'll just begin by saying that I am pleased to be recognized as the Representative from North Turner. It would particularly please the man who I rise to pay tribute to, my grandfather, Lawrence "Punk" House.

He was unofficially known as the Mayor of North Turner, among many titles and positions he held in our little town in his lifetime. Punk ran a general store in North Turner that he took over from his father, House's Market. He had his regular customers. It was one of the places in town where people would discuss the latest news and gossip, where people shared their stories, their triumphs and their tragedies.

Grandpa Punk, as I called him, was known for his sense of humor. No place was this more on display than at his store. He used to superglue a half-dollar to the floor so that an unsuspecting customer might bend down to pick it up. The regulars, of course, knew, but every now and then someone from away would attempt to pick up the found treasure only to find that it was stuck in place. Among his slogans was if we don't have it, you don't need it.

Punk also spent a lifetime serving his community. He served on the volunteer fire department and right up to his last days still attended the meetings. I was on hand a couple years ago when they presented him with a special bench to honor his many years of service. On the front of it was stenciled a saying that he used to say as the dispatcher when he'd get a call; keep it burnin' till we get there.

He also served as a selectman in town as well as an elder in the North Turner Union Presbyterian Church. The title he enjoyed most, though, was that of husband, father and grandfather. He will be missed by his wife of 66 years, my

grandmother, LaVerna, his six children and seven grandchildren. I will miss most my visits with him talking about politics, sports and hearing his numerous stories. Thank you, Mr. Speaker.

Subsequently, this Expression of Legislative Sentiment was **ADOPTED** and sent for concurrence.

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

The following items were taken up out of order by unanimous consent:

SENATE PAPERS

Bill "An Act Concerning Sexual Misconduct on College Campuses"

(S.P. 572) (L.D. 1727)

Came from the Senate, **REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

Bill "An Act To Increase Transparency in Political Communications"

(S.P. 571) (L.D. 1726)

Came from the Senate, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** in concurrence.

The following Joint Order: (S.P. 569)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until the call of the President of the Senate and the Speaker of the House, respectively.

Came from the Senate, **READ** and **PASSED**.

READ and **PASSED** in concurrence.

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

On motion of Representative MORRIS of Turner, the House adjourned at 6:56 p.m., until the call of the President of the Senate and the Speaker of the House, respectively, pursuant to the Joint Order (S.P. 569) and in honor and lasting tribute to John E. Emery II of Mechanic Falls, the Honorable Muriel Holloway of Gardiner, Norine Clarke of Dixfield, Lawrence "Punk" House of North Turner and Grace Gerrish, of Winter Harbor.