

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
4th Legislative Day
Thursday, June 3, 2021

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

Prayer by Pastor Glenn Peterson, Hope Baptist Church, Manchester.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act To Facilitate Compliance with Federal Immigration Law by State and Local Government Entities"

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

Majority (13) **REFER TO THE COMMITTEE ON STATE AND LOCAL GOVERNMENT** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** in the House on May 19, 2021.

Came from the Senate with the Minority (1) **OUGHT NOT TO PASS** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** in **NON-CONCURRENCE**.

Speaker FECTEAU of Biddeford moved that the House **INSIST**.

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

Representative **TUELL**: Thank you, Mr. Speaker. I rise today a little frustrated, I think we're all frustrated, but particularly in regards to Item 1-1.

This bill has not had a public hearing and I'm dismayed by that, that it hasn't had a public hearing. Regardless of peoples' thoughts on it, this should go through the process, should go to committee, should be heard and voted and dispensed with and debated as other bills are. And I'm disappointed that the other Body doesn't see it the same way. I'm disappointed that one action could gum up the entire works. I wanted to get that on record as having said that and I thank you, Mr. Speaker.

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

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:

(S.P. 234) (L.D. 596) Bill "An Act To Improve the Law Regarding Abandoned Roads" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

(S.P. 494) (L.D. 1520) Bill "An Act To Terminate the Augusta Downtown Parking District" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

(S.P. 546) (L.D. 1690) Resolve, To Modify the Deed for a Parcel of Property in the Town of Carrabassett Valley Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass**

(S.P. 34) (L.D. 26) Bill "An Act To Allow a Dentist To Administer Botulinum Toxin and Dermal Fillers" (EMERGENCY) Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought**

to Pass as Amended by Committee Amendment "A" (S-124)

(S.P. 41) (L.D. 33) Bill "An Act To Improve the Laws Governing Hemp by Bringing Them into Compliance with Federal Law" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-130)**

(S.P. 54) (L.D. 123) Bill "An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2022" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-129)**

(S.P. 140) (L.D. 313) Bill "An Act To Advance Career and Technical Education Opportunities in Maine" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-118)**

(S.P. 87) (L.D. 800) Bill "An Act To Amend Credit and Debit Card Surcharges Imposed by Governmental Entities" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-110)**

(S.P. 113) (L.D. 802) Bill "An Act To Ensure Decommissioning of Solar Energy Developments" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-111)**

(S.P. 344) (L.D. 1076) Bill "An Act To Support the Operations of Youth Shelters in Maine" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-112)**

(H.P. 40) (L.D. 74) Resolve, To Ensure Appropriate Personal Needs Allowances for Persons Residing in Long-term Care Facilities Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-308)**

(H.P. 84) (L.D. 118) Bill "An Act To Address Maine's Shortage of Behavioral Health Services for Minors" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-286)**

(H.P. 172) (L.D. 251) Bill "An Act Regarding Public Utility Assessments, Fees and Penalties" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-289)**

(H.P. 244) (L.D. 346) Bill "An Act Requiring the Use of Propane and Natural Gas Detectors" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-313)**

(H.P. 359) (L.D. 496) Bill "An Act To Clear Waiting Lists for and Ensure Timely Access to Mental Health Services for Maine Children" (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-309)**

(H.P. 369) (L.D. 506) Bill "An Act To Reduce the Tax Burden on Low-income Electricity Customers" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-343)**

(H.P. 376) (L.D. 513) Bill "An Act Regarding the Membership of the Board of Trustees of the Maine Criminal Justice Academy and Its Complaint Review Committee" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-314)**

(H.P. 425) (L.D. 582) Bill "An Act To Support the Fidelity and Sustainability of Assertive Community Treatment" (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-310)

(H.P. 465) (L.D. 629) Resolve, To Establish the Task Force To Study Improving Safety and Provide Protection from Violence for Health Care Workers in Hospitals and Mental Health Care Providers Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-311)

(H.P. 665) (L.D. 909) Bill "An Act Regarding the Depth of Phillips Lake in the Town of Dedham" (EMERGENCY) Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-307)

(H.P. 680) (L.D. 924) Resolve, To Establish a Task Force To Study the Coordination of Services and Expansion of Educational Programs for Young Adults with Intellectual or Developmental Disabilities To Identify Barriers to Full Societal Integration Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-283)

(H.P. 793) (L.D. 1064) Bill "An Act To Advance Palliative Care Utilization in the State" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-287)

(H.P. 813) (L.D. 1135) Bill "An Act Regarding Substance Use Disorder Treatment Services and Increasing Reimbursement Rates for Those Services" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-294)

(H.P. 969) (L.D. 1313) Bill "An Act To Clarify Who Signs and Swears to a Certificate Stating the Results of a Breath-alcohol Test" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-312)

(H.P. 1055) (L.D. 1439) Bill "An Act To Clarify All-terrain Vehicle Registration Requirements and Establish Regular Maintenance of Designated State-approved All-terrain Vehicle Trails" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-326)

(H.P. 1067) (L.D. 1451) Bill "An Act To Align the Expulsion Process with School Disciplinary Policies" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-282)

(H.P. 1099) (L.D. 1485) Bill "An Act to Modify the Requirements for Political Action Committees and Ballot Question Committees" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-306)

(H.P. 1132) (L.D. 1528) Resolve, Directing the Department of Health and Human Services To Adjust Reimbursement Rates for Certain Home-based Services Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-285)

(H.P. 1194) (L.D. 1605) Bill "An Act To License Ambulance Drivers Who Are Not Licensed To Provide Emergency Medical Services" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-325)

(H.P. 1237) (L.D. 1666) Bill "An Act To Direct the Public Utilities Commission to Implement a Statewide, Multi-use Online Energy Data Platform" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-315)

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 and the House Papers were **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

(H.P. 1040) (L.D. 1424) Resolve, To Change the Educational Requirements of Behavioral Health Professionals Providing Services for Children Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A"** (H-288)

On motion of Representative MEYER of Eliot, 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**.

ENACTORS

Constitutional Amendment

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

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

(C. "A" H-124)

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

On motion of Representative DILLINGHAM of Oxford, **TABLED** pending **FINAL PASSAGE** and later today assigned

Emergency Measure

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

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

(C. "A" H-121)

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. 113 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Encourage the Purchase of Local Foods for Public Schools

(S.P. 250) (L.D. 636)
(C. "A" S-106)

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. 121 voted in favor of the same and 2 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 the Sale of Raffle Tickets Online

(S.P. 256) (L.D. 671)
(C. "A" S-102)

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. 109 voted in favor of the same and 10 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Reinstate and Increase the Income Tax Deduction for Contributions to Education Savings Plans

(S.P. 31) (L.D. 23)
(C. "A" S-72)

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

(H.P. 59) (L.D. 93)

An Act To Eliminate Time Limits for Placing Land in Trust Status under the Maine Indian Claims Settlement

(H.P. 115) (L.D. 159)
(C. "A" H-176)

An Act Regarding the Transportation of Products in the Forest Products Industry

(S.P. 76) (L.D. 188)
(S. "A" S-95 to C. "A" S-70)

An Act To Amend the Laws Governing Retirement Benefit Reductions for Corrections Officers Currently Included in the 1998 Special Plan

(S.P. 78) (L.D. 190)
(C. "A" S-101)

An Act To Update the Maine Parentage Act

(H.P. 157) (L.D. 222)
(C. "A" H-149)

An Act To Discontinue the Use of the SAT in Maine Schools

(H.P. 193) (L.D. 277)
(C. "A" H-119)

An Act To Include Certain Employees in the Bureau of Forestry's Forest Protection Unit in the Laws Concerning Cancer Suffered by Firefighters

(S.P. 131) (L.D. 305)
(C. "A" S-69)

An Act To Allow for the Establishment of Commercial Property Assessed Clean Energy Programs

(S.P. 147) (L.D. 340)
(C. "A" S-66)

An Act To Establish the Maine Healthy Soils Program

(S.P. 179) (L.D. 437)
(C. "A" S-75)

An Act To Support E-9-1-1 Dispatchers and Corrections Officers Diagnosed with Post-traumatic Stress Disorder

(H.P. 343) (L.D. 467)
(C. "A" H-118)

An Act To Ensure Safety across Maine's Construction Industry

(H.P. 345) (L.D. 469)
(C. "A" H-104)

An Act To Create New Models of Maine Manufacturing Employment and Education

(H.P. 378) (L.D. 515)
(C. "A" H-122)

An Act Regarding the Practice of Pharmacy

(S.P. 242) (L.D. 603)

An Act To Improve the Lives of Maine Workers by Supporting Apprenticeships That Lead to Good-paying Jobs

(S.P. 253) (L.D. 648)
(C. "A" S-100)

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)

An Act To Assist Public School Students and Families Who Are Homeless

(H.P. 578) (L.D. 773)
(C. "A" H-172)

An Act To Support School Decarbonization

(S.P. 184) (L.D. 815)

An Act To Improve Communication between School Board Members and School Employees and Members of the Public

(S.P. 185) (L.D. 816)
(C. "A" S-68)

An Act To Increase Government Accountability by Removing the Restriction on the Dissemination of Information Regarding Investigations

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

An Act To Amend the Eligibility Criteria for Creditable Service in the Armed Forces of the United States under the State Retirement System

(S.P. 308) (L.D. 956)
(C. "A" S-92)

An Act To Require Joint Use Entities To Establish Permanent Liaisons with All County Emergency Management Agencies

(H.P. 746) (L.D. 1008)
(C. "A" H-133)

An Act To Establish the Maine Service Fellows Program

(H.P. 748) (L.D. 1010)
(C. "A" H-144)

An Act Regarding the Outdoor Release or Abandonment of Balloons

(H.P. 761) (L.D. 1023)
(C. "A" H-137)

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)
(C. "A" H-115)

An Act To Phase Out the Insurance Premium Tax on Annuities

(H.P. 791) (L.D. 1062)
(C. "A" H-117)

An Act To Prohibit an Employer from Charging an Employee for Direct Deposit for Wages

(S.P. 367) (L.D. 1106)

An Act To Improve Fairness in Auto Insurance Claims

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

(C. "A" H-178)

An Act To Ban the Sale of Cosmetics That Have Been Tested on Animals

(H.P. 1156) (L.D. 1551)

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 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

(H.P. 190) (L.D. 274)

(H. "A" H-57)

Resolve, Directing the Department of Education To Analyze Funding To Address Student Achievement Gaps

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

(C. "A" H-132)

Resolve, To Require the Department of Education To Report on Family Income Data Collection

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

(C. "A" H-159)

Resolve, Directing the Department of Agriculture, Conservation and Forestry To Develop a Study Plan Relating to Perfluoroalkyl and Polyfluoroalkyl Substances Contamination in the Agricultural Sector

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

(C. "A" H-123)

Resolve, To Expedite Processing of Applications for Certification under the Federal Work Opportunity Tax Credit

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

(C. "A" H-127)

Resolve, Directing the Department of Education To Report on Charter School Funding Methods and Reporting Protocols

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

(C. "A" H-111)

Resolve, To Develop a Plan for Teachers To Collect Social Security

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

(C. "A" H-173)

Resolve, Directing 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)

(C. "A" H-116)

Resolve, To Create an Electronic Titling Work Group

(H.P. 476) (L.D. 645)

(C. "A" H-160)

Resolve, Directing the Department of Education To Survey School Administrative Units and Review the Feasibility of a 30-minute Lunch Period for Students

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

(C. "A" H-120)

Resolve, To Promote the Education of Students Who Participate in Health Education Classes Regarding Common Cancer Symptoms, the Bone Marrow Registry and Organ Donation

(H.P. 778) (L.D. 1049)

(C. "A" H-197)

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)

Resolve, To Require the State Auditor To Report on Corrective Actions Regarding the Administration of Federal Grants

(H.P. 890) (L.D. 1215)

(C. "A" H-198)

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

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

Emergency Measure

An Act Regarding Local Option Elections

(S.P. 527) (L.D. 1642)

(C. "A" S-107)

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. 102 voted in favor of the same and 23 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Make Technical Changes to the Eligibility Provisions of the Higher Opportunity for Pathways to Employment Program

(S.P. 53) (L.D. 792)

(C. "A" S-105)

An Act To Amend the Statement of Purpose of the Maine Emergency Medical Services Act of 1982 To Include Emergency Responses That Do Not Require Transportation

(S.P. 391) (L.D. 1290)

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.

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-115)** on Bill "An Act To Require Diversity, Equity and Inclusion Training or Implicit Bias Training for School Resource Officers"

(S.P. 330) (L.D. 1040)

Signed:

Senators:

DESCHAMBAULT of York
LAWRENCE of York

Representatives:

WARREN of Hallowell
LOOKNER of Portland
MORALES of South Portland
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

Representatives:

COSTAIN of Plymouth
NEWMAN of Belgrade
PICKETT of Dixfield
PLUECKER of Warren
RUDNICKI of Fairfield

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-115)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-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" (S-115)** in concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act To Reduce Fire Response Time by Eliminating Standardized Dispatch Protocols for Fire 9-1-1 Calls"

(S.P. 399) (L.D. 1291)

Signed:

Senators:

LAWRENCE of York
VITELLI of Sagadahoc

Representatives:

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

Signed:

Senator:

STEWART of Aroostook

Representatives:

CARLOW of Buxton
FOSTER of Dexter
WADSWORTH of Hiram

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.
READ.

On motion of Representative BERRY of Bowdoinham, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought Not to Pass** on Bill "An Act To Increase Economic Development by Expanding the Special Fee Application Review Process of the Department of Environmental Protection"

(S.P. 319) (L.D. 988)

Signed:

Senators:

BRENNER of Cumberland
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 to Pass as Amended by Committee Amendment "A" (S-104)** on same Bill.

Signed:

Senator:

BENNETT of Oxford

Representatives:

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

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.
READ.

On motion of Representative TUCKER of Brunswick, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Ensure the Provision of Housing Coordinator Services to Older Adults and Persons with Disabilities"

(S.P. 499) (L.D. 1557)

Signed:

Senators:

CLAXTON of Androscoggin
MOORE of Washington

Representatives:

MEYER of Eliot
CONNOR of Lewiston
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 as Amended by Committee Amendment "A" (S-127)** on same Bill.

Signed:

Senator:

BALDACCI of Penobscot

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.
READ.

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

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-123)** on Bill "An Act To Allow Sunday Hunting on Private Property with the Written Permission of the Landowner"

(S.P. 325) (L.D. 1033)

Signed:

Senators:

DILL of Penobscot
BLACK of Franklin
CURRY of Waldo

Representatives:

LANDRY of Farmington
ALLEY of Beals
HEPLER of Woolwich
MARTIN of Eagle Lake
MASON of Lisbon
NADEAU of Winslow
ORDWAY of Standish

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

Signed:

Representative:

LYFORD of Eddington

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-123)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-123)** 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" (S-123)** in concurrence.

Majority Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought Not to Pass** on Bill "An Act To Allow a Journeyman Electrician To Supervise Three Helper Electricians"

(S.P. 59) (L.D. 126)

Signed:

Senators:

CURRY of Waldo
LUCHINI of Hancock

Representatives:

ROBERTS of South Berwick
BAILEY of Gorham
GEIGER of Rockland
HASENFUS of Readfield
PEBORTH of Blue Hill

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-79)** on same Bill.

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

ANDREWS of Paris
AUSTIN of Gray
BERNARD of Caribou
COLLAMORE of Pittsfield
DUCHARME of Madison

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.
READ.

Representative ROBERTS of South Berwick moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative DILLINGHAM of Oxford **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 Pittsfield, Representative Collamore.

Representative **COLLAMORE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise today in opposition of the pending motion on the floor.

The electrical field, like all of the trades fields, is very short-handed. Electricians are needed in our State, not just to

service our homes and businesses, but to work in the growing clean energy movement field.

The amended bill will allow more electrical helpers to work on the job site under the supervision of a journeyman and/or master electrician. Current Statute allows; (1) two helpers who are enrolled in or have completed a program of study consisting of 576 hours of education as approved by the board or from an accredited institution, (2) two apprentice electricians or (3) one helper electrician. Because of the 'or' qualifier in this Statute, if a site has two apprentice electricians and one leaves, the site is unable to bring on a helper to fill that spot with only allowing an apprentice to replace the lost helper.

Another issue current Statute fails to address is that an approved program of study or an accredited institution does not include programs such as CTE programs toward that 576 hours of education and does not qualify for; the CTEs do not qualify for an apprentice program.

The amended bill will allow two helper electricians enrolled in an education program and one helper not enrolled in a program or two apprentice electricians or one helper electrician when working on industrial installation as defined by the board by rule or two helper electricians when working on residential, commercial, or solar electrical applications as defined by the board by rule or one apprentice electrician and one helper electrician.

The changes to Statute will encourage more individuals to enter the field. Solar installation companies are having a very hard time meeting the demand due to the lack of electricians in Maine. Electricians from out of state are being hired to fill this void.

Mr. Speaker, I feel it is important to allow electrical companies, no matter the application process they're going through, to be able to bring in the help they need while staying safe. It is important to encourage more people to enter the field and this bill would be the first step in helping the State achieve both of these goals. Thank you, Mr. Speaker, and I hope you follow my light in opposing the motion before us.

The SPEAKER: The Chair recognizes the Representative from Winterport, Representative Cuddy.

Representative **CUDDY**: Thank you very much, Mr. Speaker. Mr. Speaker, I rise to support the Ought Not to Pass Report. I've been a journeyman electrician since, well, longer than I care to admit, like so many things these days. I joined the IBEW in 2010, or, I'm sorry, 2005, and turned out as a journeyman in 2010. I went through a five-year apprenticeship program, during which the ratio was one journeyman to one apprentice or one helper. You could only have one to one because you were learning a trade in which your mistake could cost a life, could burn down a building, and it was important that you learn that trade well from somebody who (A) had accomplished their own work, and (B) had to make sure that your work also lived up to the code.

In 2010, that was changed because there was a crush of need for help. The electrical community compromised and said okay, if we're going to have one electrician, one journeyman or one master electrician supervise more than one person, those people have to be involved in an educational program. Now we are trying to move the ball further. There will be, in the complicated morass in front of us of the five different scenarios that get laid out, a journeyman will have to know whether or not they can have this number of people or that number of people. And no matter what, you are talking about adding more people for a journeyman who he or she is

going to have to get their own work done. That's not going to change. They're going to have to get it done well, they're going to have to get it done to code, they're going to have to get it done efficiently. They are also going to have to oversee as many as three people at the same time to make sure that their work is done to code, that their work is done safely, that they're living up to all the things that the contractor expects them to do in terms of their work product. That's not doable.

What we are doing is we are going to create a setting in which work is going to be done that you simply can't guarantee is being done to code and being done safely and being done well. Because the journeyman, he or she is still going to have to get their own work done. That is a point that I cannot stress enough. And because there is so much to do, the stress on that individual to work quickly, to work efficiently, and to work safely is immense. To add to that, as we currently do, that you have to oversee the work of two people who, by definition, don't know what they're doing yet, they are an apprentice or they are a helper; they are not a journeyman electrician. To add to the stress of that is enough. To add a third person, and now this person may not even be in an educational program, they're not learning about AC and DC theory, they may not know the math yet that you need to know to be a successful electrician. They certainly don't know the code yet. To add a third person to that is just diluting the trade that I love so much further. We've compromised on this already. We have already opened it up further than we should. The proper ratio is one apprentice or helper to one electrician. We've already compromised on that.

In this building, Mr. Speaker, we talk a lot about having that sort of downhill slippery slope. There is no gravity in legislation. Things move because we move them or things stop because we stop them here in this room. And right now, today, we have the opportunity to continue the current compromise, and I hope that we will do that, because I do not want, when I get out of this and am able to go back to my actual job, and I am working on a solar field, if I'm working in a mill, wherever I end up working, I don't want to have to have a thought that I'm going to supervise three individuals who don't know what they're doing, make sure that they're safe, that they get home safely that day, that their work is safe, their work product is up to the quality that they expect; that the contractor expects. I don't want to see that. So, I do hope that people will follow me in this, that we will vote for the Ought Not to Pass Report. Thank you.

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

Representative **STETKIS**: Thank you, Mr. Speaker. I wasn't planning on speaking on this, but I feel the need to correct the record. As a contractor for over 30 years, residential and a little bit of commercial, some of the work that I do, whether it's, you know, in and around electricians and plumbers and others, I think one of the things that people have to understand is, number one, this doesn't require any master electrician to take on any more help than they're comfortable doing. The other thing that I think is completely undeniable in this room, I think we all understand we have a massive shortage of people in the trades. Massive shortage. If you think that housing is expensive now, housing is hard to get your hands on; not promoting the growth of this is going to make things even worse.

Under current law, a journeyman or an apprentice works under the direct supervision of a master electrician. The master electrician is required by law to make sure that the work

done by these individuals is to code; is safe. So, anybody saying that somehow having these people on a job site makes things less safe, then they're proposing that the master electrician is not doing their job. And I don't think the previous speaker meant to say that.

This has nothing to do with safety, there's plenty of checks and balances within our system, there are a multitude of codes that have to be followed, you have a master electrician that by law has to check their work directly, and we desperately need people in these trades. This is the type of legislation that we need to work together on and make sure we move forward. Thank you.

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

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

I echo the sentiments and the personal experience of the Good Representative from Winterport. And I also would like to point out that when it comes to professional and occupational regulation, there are three things that are important; consumer protection, public safety and workplace safety. This bill, Mr. Speaker, puts into jeopardy all three of those.

I also believe it's a way to get cheap labor. I recognize that there is a workforce shortage in the trades and in electricians. But I would submit to you, Mr. Speaker, that maybe we should focus more on investing in our CTE centers to get young people involved in the trades to address this shortage. Thank you for your consideration.

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. 113

YEA - Alley, Arford, Babbidge, Bailey, 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, Peabworth, Perry A, Perry J, 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, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, 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, Riseman, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Cebra, Grignon, Javner, Martin, Paulhus, Stearns, Theriault.

Yes, 82; No, 62; Absent, 7; Excused, 0.

82 having voted in the affirmative and 62 voted in the negative, with 7 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought Not to Pass** on Bill "An Act To Require Notice for Orthopedic Medical Device Recalls"

(S.P. 119) (L.D. 804)

Signed:

Senators:

CURRY of Waldo
CYRWAY of Kennebec
LUCHINI of Hancock

Representatives:

ROBERTS of South Berwick
AUSTIN of Gray
BERNARD of Caribou
COLLAMORE of Pittsfield
DUCHARME of Madison
HASENFUS of Readfield
PEBORTH of Blue Hill

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-128)** on same Bill.

Signed:

Representatives:

BAILEY of Gorham
GEIGER of Rockland

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

READ.

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

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-121)** on Bill "An Act To Extend the Protections Provided to State Employees upon the Expiration of Labor Contracts to Other Public Sector Employees"

(S.P. 235) (L.D. 824)

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 AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-121)**.

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" (S-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" (S-121)** in concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-114)** on Bill "An Act To Include Certain Mental Health Workers under the 1998 Special Plan for Retirement"

(S.P. 331) (L.D. 1041)

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 Not to Pass** on same Bill.

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro

DRINKWATER of Milford

MORRIS of Turner

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-114)**.

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" (S-114)** 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" (S-114)** in concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act To Require a Two-thirds Vote To Extend a State of Emergency"

(S.P. 21) (L.D. 14)

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" (S-113)** on same Bill.

Signed:

Senator:

ROSEN of Hancock

Representatives:

DOWNES of Bucksport

GREENWOOD of Wales

HEAD of Bethel

TUELL of East Machias

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

READ.

Representative MATLACK of St. George moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative TUELL of East Machias **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. 114

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, 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, Peabworth, 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, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Evangelos, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Hutchins, 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, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Bickford, Cebra, Grignon, Head, Javner, Martin, Paulhus, Stearns, Theriault.

Yes, 81; No, 61; Absent, 9; Excused, 0.

81 having voted in the affirmative and 61 voted in the negative, with 9 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require Constitutional Officers To Be Elected by Statewide Election

(S.P. 285) (L.D. 733)

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
HEAD of Bethel
PAULHUS of Bath
RISEMAN of Harrison
TUELL of East Machias

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-109)** on same RESOLUTION.

Signed:

Representative:

GREENWOOD of Wales

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.
READ.

Representative MATLACK of St. George moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending her motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act To Narrowly Tailor Emergency Powers of the Governor and Other Public Officials"

(S.P. 307) (L.D. 955)

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" (S-122)** on same Bill.

Signed:

Senator:

ROSEN of Hancock

Representatives:

DOWNES of Bucksport
GREENWOOD of Wales
HEAD of Bethel
TUELL of East Machias

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.
READ.

Representative MATLACK of St. George moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative TUELL of East Machias **REQUESTED** a roll call on the motion to **ACCEPT** the 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. 115

YEA - Alley, Arford, Babbidge, Bailey, 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, Peabworth, 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, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, 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, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Bickford, Cebra, Grignon, Javner, Martin, Paulhus, Stearns, Theriault.

Yes, 82; No, 61; Absent, 8; Excused, 0.

82 having voted in the affirmative and 61 voted in the negative, with 8 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on 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)

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" (S-119)** on same Bill.

Signed:

Senator:

ROSEN of Hancock

Representatives:

DOWNES of Bucksport
GREENWOOD of Wales
HEAD of Bethel
TUELL of East Machias

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

READ.

Representative MATLACK of St. George moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative TUELL of East Machias **REQUESTED** a roll call on the motion to **ACCEPT** the 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 East Machias, Representative Tuell.

Representative **TUELL**: Thank you, Mr. Speaker. As with the bill we took up yesterday from the Representative from Auburn, this bill merely says that the Legislature has a place at the table in discussing compacts, multi-state compacts of importance. And this one, in particular, many folks have heard about, is the transportation; the TCI. And I would encourage that regardless of how folks feel about the compact in question, that we all ought to be united in saying the Legislature should be the final arbiter, that if a Chief Executive, whether it be one that some approve of or some don't, whether they choose to enter into an agreement, that should be subject to the review of this Body and the other Body.

Going forward, there may be an initiative or a compact proposed from a Chief Executive that the majority doesn't agree with but that, and in that situation, a bill like this, a move like this, would be our rights as a coequal branch of government would be preserved. So, I believe that this in particular, is essential and that we should be rejecting the pending motion and moving onto a second. 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. 116

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Dodge, Doore, 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, 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, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, 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, Stetkis, Thorne, Tuell, Underwood, Wadsworth, Warren, White.

ABSENT - Bickford, Cebra, Cuddy, Grignon, Javner, Martin, Paulhus, Stearns, Theriault.

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** in concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-125)** on Bill "An Act To Prohibit Contributions, Expenditures and Participation by Foreign Government-owned Entities To Influence Referenda" (EMERGENCY)

(S.P. 82) (L.D. 194)

Signed:

Senators:

LUCHINI of Hancock
FARRIN of Somerset
HICKMAN of Kennebec

Representatives:

COREY of Windham
DOLLOFF of Milton Township
KINNEY of Knox
McCREIGHT of Harpswell
RIELLY of Westbrook
SUPICA of Bangor
TUTTLE of Sanford
WOOD of Portland

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

Signed:

Representatives:

CAIAZZO of Scarborough
HARRINGTON of Sanford

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-125)**.

READ.

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

On further motion of the same Representative, **TABLED** pending his motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-328)** on Bill "An Act To Protect Children from Exposure to Toxic Chemicals"

(H.P. 382) (L.D. 519)

Signed:

Senators:

DILL of Penobscot
BLACK of Franklin

Representatives:

BERNARD of Caribou
GIFFORD of Lincoln
HALL of Wilton
LANDRY of Farmington
McCREA of Fort Fairfield
PLUECKER of Warren
SKOLFIELD of Weld
UNDERWOOD of Presque Isle

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-329)** on same Bill.

Signed:

Senator:

MAXMIN of Lincoln

Representatives:

O'NEIL of Saco
OSHER of Orono

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-328)** 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-328)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-292)** on Bill "An Act To Amend the Child Endangerment Laws To Include Certain Unauthorized Access to a Loaded Firearm"

(H.P. 564) (L.D. 759)

Signed:

Senators:

DESCHAMBAULT of York
LAWRENCE of York

Representatives:

WARREN of Hallowell
LOOKNER of Portland
MORALES of South Portland
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

Representatives:

COSTAIN of Plymouth
NEWMAN of Belgrade
PICKETT of Dixfield
RUDNICKI of Fairfield

READ.

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

On further motion of the same Representative, **TABLED** pending her motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass** on Bill "An Act Regarding Background Checks for the Sale of Firearms"

(H.P. 737) (L.D. 999)

Signed:

Senator:

DESCHAMBAULT of York

Representatives:

WARREN of Hallowell
LOOKNER of Portland
MORALES of South Portland
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:

Senators:

CYRWAY of Kennebec
LAWRENCE of York

Representatives:

COSTAIN of Plymouth
NEWMAN of Belgrade
PICKETT of Dixfield
RUDNICKI of Fairfield

READ.

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

On further motion of the same Representative, **TABLED** pending her motion to **ACCEPT** the Majority **Ought to Pass** Report and later today assigned.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-340)** on Bill "An Act Relating to Personnel Working in Public Safety"

(H.P. 806) (L.D. 1128)

Signed:

Senators:

DESCHAMBAULT of York
CYRWAY of Kennebec
LAWRENCE of York

Representatives:

COSTAIN of Plymouth
NEWMAN of Belgrade
PICKETT of Dixfield
RUDNICKI of Fairfield

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-341)** on same Bill.

Signed:

Representatives:

WARREN of Hallowell
LOOKNER of Portland
MORALES of South Portland
PLUECKER of Warren
RECKITT of South Portland
SHARPE of Durham

READ.

Representative WARREN of Hallowell moved that the House **ACCEPT** the Minority **Ought to Pass as Amended** Report.

Representative PICKETT of Dixfield **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **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, Representative Corey.

Representative **COREY**: Thank you, Mr. Chair, or Mr. Speaker. I speak in opposition to Committee Amendment B on LD 1128. LD 1128 was originally brought to me by the Cumberland County Sheriff, which was an honor because the bill had died at the conclusion of the 129th Maine Legislature. The bill at that time was sponsored by Representative Richard Farnsworth of Portland, a man that many in this chamber hold in high regard. The original bill does one simple thing; it allows corrections or transport officers the same authority to use force that they use inside the jail or prison outside the jail or prison. The most likely scenario would be in the protection of an inmate from a victim's relative or friend. I'd like to have the Clerk read the Committee Report and thank you, Mr. Speaker.

The same Representative **REQUESTED** the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

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

ROLL CALL NO. 117

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Lookner, Madigan, Martin, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, 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, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fay, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Bickford, Cebra, Cuddy, Fecteau, Grignon, Javner, Martin, Paulhus, Stearns, Theriault.

Yes, 79; No, 62; Absent, 10; Excused, 0.

79 having voted in the affirmative and 62 voted in the negative, with 10 being absent, and accordingly the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "B" (H-341)** 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 "B" (H-341)** 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 items appeared on the Consent Calendar for the First Day:

(H.P. 34) (L.D. 68) Bill "An Act To Introduce a Career and Fiscal Management Elective Course at the High School Level" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-351)**

(H.P. 234) (L.D. 330) Bill "An Act To Prevent Accidental Overdoses by Establishing a Protocol for Prescription Drug Recovery" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-348)**

(H.P. 625) (L.D. 857) Bill "An Act To Create a Municipal Grant Program To Promote Sustainable Economic Development" Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-350)**

(H.P. 749) (L.D. 1011) Bill "An Act To Include Excluded Individuals on Insurance Cards" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-346)**

(H.P. 961) (L.D. 1305) Bill "An Act To Streamline Requests for Housing Assistance" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-349)**

(H.P. 1034) (L.D. 1400) Bill "An Act To Protect Towing Operators Providing Emergency Assistance by Allowing the Use of a Flashing Red Light" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-345)**

(H.P. 1049) (L.D. 1433) Bill "An Act To Amend the Motor Vehicle Laws" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-352)**

(H.P. 1209) (L.D. 1625) Bill "An Act To Increase the Number of Lincolnville Sewer District Trustees from 3 to 5" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-370)**

(H.P. 1233) (L.D. 1662) Bill "An Act To Update Maine's Sales Prohibition on Upholstered Furniture Treated with Flame-retardant Chemicals" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-347)**

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

There being no objection, the House Papers **PASSED TO BE ENGROSSED as Amended** 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 **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Ensure the Right to Self-defense Exists outside the Home by Removing the Requirement To Retreat"

(H.P. 816) (L.D. 1138)

Signed:

Senators:

DESCHAMBAULT of York
LAWRENCE of York

Representatives:

WARREN of Hallowell
LOOKNER of Portland
MORALES of South Portland
PLUECKER of Warren
RECKITT of South Portland
SHARPE of Durham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-342)** on same Bill.

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

COSTAIN of Plymouth
NEWMAN of Belgrade
PICKETT of Dixfield
RUDNICKI of Fairfield

READ.

Representative WARREN of Hallowell moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative ANDREWS of Paris **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 Paris, Representative Andrews.

Representative **ANDREWS**: Thank you, Mr. Speaker. LD 1138 is a necessary piece of legislation to affirm our Article 1 natural rights to protect everyday Mainers from harm if they face dangerous situations outside of their domicile.

Currently, Mainers who face danger outside their homes are required to retreat from the encounter, surrender their property to someone asserting a claim to it, and comply with the demand of an aggressor they are not obliged to perform. That is not a safe or rational standard and it is in clear violation of our State constitution and must be corrected.

All Mainers have constitutional protections that guarantee their right to meet force with force, to defend their lives or the lives of others so that they can obtain safety.

I submitted this bill for all communities of all types of people in Maine because everyone has the right to defend themselves in a place that they legally have the right to be if they face danger. Whether it's a single mom walking through a desolate parking lot late at night after second shift who meets an attacker, she has the absolute right to defend herself with a firearm. As does a father out with his family shopping at a mall when he hears the sound of gunfire break out. This recently happened in Nebraska to Scott Tafoya and his family. He corralled as many other shoppers as possible into the dress shop his wife and daughters were shopping at and drew his weapon to stand guard to defend all the innocent lives inside that store. Thankfully, he did not have to discharge his weapon. After the incident, he said; I knew if I ever pulled that out, it would truly be a life and death situation and I would deal with the consequences later.

All people have a right to defend themselves and their loved ones and other innocents where they legally have a right to be outside their homes. This legislation would affirm that standard. LD 1138 is for every law-abiding citizen in our great State, to protect themselves and others without having to worry about the current Statute that violates their constitutional rights. In fact, LD 1138 is a bill that will serve to help protect communities that often face threats of violence for simply existing. Ermiya Fanaeian, a daughter of Iranian immigrants and an LGBTQ political organizer or the Pink Pistols, an LGBTQ firearms training club in Salt Lake City, Utah, said in a recent interview; I understood the need for the LGBTQ people to protect ourselves from people who wanted to do us serious harm. Pulse Nightclub for me was a huge pivot point to shift my understanding of what guns can do for us. Ms. Fanaeian continued in the interview; I shifted my position when an attack happened in Michigan on a black trans woman at a gas station. A group of men had violently mobbed her. I realized then that not only do we need to protect ourselves, but the exempt politicians who are calling to disarm working class Americans were doing nothing to protect her. That just made me realize that their lack of care for protecting LGBTQ Americans, and not just that, they don't want us to be able to protect ourselves.

Simply put, LD 1138 is a bill for everyone's self-protection, safety and empowerment. It's a bill that protects the natural rights of self-defense for all people and communities. It is necessary and must be enacted into law by the 130th Legislature to allow all communities their inherent right to self-defense. I would ask you to do the right thing and please follow my light to correct the current Statute, to bring it in line with our State constitution, and make Maine a safer place for everyone, especially those in communities that might face violence for simply being who they are. Thank you for your time.

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

Representative **WARREN**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, I think I'll provide the testimony of the Criminal Law Advisory Commission. And for

those of you that are new, the Criminal Law Advisory Commission is made up of Maine's judges, Maine's prosecutors, Maine's district attorneys, and this is what they say; CLAC members strongly oppose passage of LD 1138. The bill would alter Maine's law on the use of deadly force for self-defense by eliminating the duty to retreat when the person can do so with complete safety.

Again, the obligation to retreat only arises when the person can do so with complete safety. In such a circumstance, the use of force is not necessary to avoid death or serious bodily injury. Accordingly, the underlying rationale for the use of deadly force is simply not present. CLAC members do not believe that self-defense should justify the use of deadly force when that use can be avoided with complete safety. Again, CLAC opposes and believes that the existing law, which allows you to protect yourself, is appropriate. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Dixfield, Representative Pickett.

Representative **PICKETT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to read a couple of excerpts from a testimony as well that was given by the NRA. A duty to retreat means that a person in a public place who engaged in no illegal or aggressive conduct and is being threatened with death or serious bodily injury at the hands of a violent criminal must instantly and correctly evaluate possible escape routes and run before offering any resistance or responding in kind. A failure to comply with the duty exposes the crime victim to possible arrest, prosecution and legal liability for the unlawful using of force.

Expecting the police to prevent all such crime is neither practically or legally justified. Courts have consistently ruled that the law enforcement officers have no enforceable obligation to protect individuals, as the judges observed in the case of Warren v. District of Columbia in 1981. The Court said without exception concluded that when a municipality or other government entity undertakes to provide public services, it assumes a duty only to the public at large and not to the individual members of the community.

And, lastly, LD 1138 is a necessary commonsense bill that removes the duty to retreat provided an individual is where he or she is legally allowed to be. If enacted, law-abiding citizens would no longer be required to retreat before lawfully using defensive force. This bill places the risk of initiating a criminal assault or another attack back on the criminal aggressor and ensures that victims of crime who respond with appropriate defensive force while protecting themselves or their loved ones will not have to face the additional threat of criminal or civil prosecution.

Mr. Speaker, this being in mind, we as citizens having the right to protect ourselves, if we come into that situation and we happen to be a person who carries and we use that to protect our families, who can fault us for that, and we know as we've heard from the Good Representative from Paris, it has made a difference in many lives and it will continue to do so. This is a good bill, and I ask you to follow my light and defeat the motion.

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 have a question and then a comment, if I may. And the question is; is there a legal definition of complete safety?

The **SPEAKER**: The Representative from Pittston, Representative Hanley, has posed a question through the Chair to any Member who may wish to answer. The Chair recognizes the Representative from Canaan, Representative Stetkis.

Representative **STETKIS**: Thank you, Mr. Speaker. Yes, this is commonsense. I have --

The **SPEAKER**: The Member will defer. The Representative from Pittston had posed a question through the Chair. The Member may proceed.

Representative **HANLEY**: Thank you, Mr. Speaker. It is very confusing to me that the burden of leaving is put on a totally innocent citizen. I find that a hard concept to get my mind around. And, also, as a final reminder, that when seconds count, the police are minutes away. Thank you, Mr. Speaker.

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

Representative **STETKIS**: Thank you, Mr. Speaker. So, yes, I have a serious issue with the argument against this commonsense self-defense law. I can just picture my wife in a life-and-death situation and she has to stand back and in a matter of possibly a split second make a decision is a lawyer or a judge going to say that I was or was not within complete safety and would I be in a situation where I could safely escape the situation as opposed to protecting myself. Completely ridiculous when you're putting an individual that's being threatened in that situation, to force them to make that decision when it comes to saving their own life. We need to pass this legislation. Please follow my light.

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

Representative **HUTCHINS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. At a shooting range three or four years ago, I met a young lady who was taking lessons on pistol shooting and, of course, a lot of other people there, and by the time she got done, she was pretty good at it. I got introduced and she and her husband have become pretty close friends of the family and so, we speak occasionally. And her reason for getting proficient with a firearm is the fact that she is a judge and leaves courtrooms sometimes late in the afternoon or in the early evening hours and her car is, you know, parked out back or that kind of thing. But that's the kind of judge we need.

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

Representative **UNDERWOOD**: There are two law enforcement people on the Ought to Pass as Amended by Committee Amendment. So, there are two law enforcement people on this, or former law enforcement that are listed here on that particular side of this bill. So, vote no, I'd appreciate it to vote no on this current presented committee amendment. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Hallowell, Representative Warren.

Representative **WARREN**: Thank you, Mr. Speaker. Just to clear up any misunderstanding. Again, all of the scenarios that I just heard are already covered by state law, which allows you to use self-defense. So, all of those scenarios are not affected by this bill. If you are in a life-and-death situation, you have the right of self-defense.

This bill says that even when you aren't in a life-or-death situation, you can use a firearm against someone else. So, I

think there's a little miscommunication, but hopefully that cleared it up.

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

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

The **SPEAKER**: The Member may proceed.

Representative **BICKFORD**: Who has the burden of proof whether it's a life-or-death situation? Is it the person defending themselves or is it the person that they fire against to save their own life?

The **SPEAKER**: The Representative from Auburn, Representative Bickford, has posed a question through the Chair to any Member who may wish to answer. The Chair recognizes the Representative from Dixfield, Representative Pickett.

Representative **PICKETT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In response to the Good Representative from Hallowell, if you are in a situation where you are in danger and you choose not to retreat, it does not say go automatically to your handgun to retreat but that kind of aggression toward you could be anything from hands, on to a blunt object, to a knife, to a gun; it could be any of those things. It just says that if you happen to be carrying and you get in that situation where an aggressor is coming at you and you have to defend your own life, you have the right to do it with whatever force is necessary to do that. So, let's be clear, it doesn't give you carte blanche to just draw your gun and start shooting. That is not the way the law is written and that is not the way the law is enforced. Thank you.

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

Representative **KINNEY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to quote a few pieces of testimony on this bill.

Quote; we the people need to not be worried about a legal restriction to defend ourselves from an attacker, unquote.

Quote, a person fearing for their life should not have to second-guess whether it will be argued whether or not they could've run away fast enough or not, end-quote.

Quote, I see this as a method to further safeguard one's life or the life of a loved one when faced with a potentially deadly encounter. The aggressor has no right to threaten anyone and the potential victims should be able to defend themselves, period, end-quote.

State law does allow to be able to defend one's life and, in the Constitution, we do have that right to life and we should additionally remember we have a right to defend ourselves and additionally to defend our fellow neighbors. In fact, in 2016, right here in Augusta, in June, shortly after the constitutional carry bill was enacted, two legally-armed bystanders were able to stop a shooting incident in the Augusta Walmart parking lot. No additional shots were fired once the legally-armed citizens were there to stop this from becoming a victimized crime.

Please follow my light and oppose the pending 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. 118

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

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

ABSENT - Cebra, Collamore, Grignon, Haggan, Javner, Martin, Paulhus, Stearns, Theriault, Tuttle.

Yes, 79; No, 62; Absent, 10; Excused, 0.

79 having voted in the affirmative and 62 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 **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Restrict Maine Law Enforcement Participation in Federal Firearm Confiscation or Buy-back Programs without Legislative Approval"

(H.P. 857) (L.D. 1179)

Signed:
Senators:

DESCHAMBAULT of York
LAWRENCE of York

Representatives:

WARREN of Hallowell
LOOKNER of Portland
MORALES of South Portland
PLUECKER of Warren
RECKITT of South Portland
SHARPE of Durham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-319)** on same Bill.

Signed:
Senator:

CYRWAY of Kennebec

Representatives:

COSTAIN of Plymouth
NEWMAN of Belgrade
PICKETT of Dixfield
RUDNICKI of Fairfield

READ.

Representative WARREN of Hallowell moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

Representative **COREY**: Thank you, Mr. Speaker, Men and Women of the House. I'm speaking in opposition to the pending motion. LD 1179 seeks to provide Maine with autonomy and choice in partnering with the federal government in confiscation or buy-back programs targeting firearms and ammunition magazines legally owned by Mainers today. For Maine's law enforcement officers and agencies to participate in these federal programs, both of Maine's legislative chambers and the Chief Executive would have to agree. This bill does not prevent the federal government from enforcing laws within Maine, it simply asserts that the Maine Legislature will have a say in how our law enforcement resources are used while engaging in federal firearm confiscation and buy-back programs.

Maine has a longstanding tradition of safe and responsible firearm ownership. With that, we are continually ranked as the safest state in the nation, with the lowest violent crime rate and a very low property crime rate. Mainers have always been free to purchase and own all federally legal firearms and ammunition magazines to date, so, they have become commonplace in gun owner homes and safes.

Maine's Constitution is quite explicit, protecting our rights to own firearms. Article I, Section 16, reads to keep and bear arms, every citizen has a right to keep and bear arms and this right shall never be questioned. It's not without precedent for Maine to disallow state law enforcement from participating in federal activities that harm the liberties of Mainers. In 1855, our Legislature passed and the Chief Executive signed Chapter 182, captioned An Act to Further Protect Personal Liberty. This law prohibited Maine's judges and courts, officers, facilities, and law enforcement from participating in giving any assistance or otherwise facilitating the activities of slave catchers operating under the federal fugitive slave law while at the same time expressly not obstructing federal officers from acting under that law. The penalties for violating this law were severe at the time; a \$1,000 fine or a year in jail.

Maine's Legislature would be able to decide if we want our law enforcement involved in participating with the federal government in programs aimed at criminalizing lawful firearm ownership today. Moreover, do we really want to devote state resources to schemes that may not comport with the Maine or U.S. Constitution without our oversight? Join me in defeating this motion. Thank you.

Representative PICKETT of Dixfield **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. 119

YEA - Alley, Arford, Babbidge, Bailey, 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, Lookner, Madigan, Martin, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, 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, Warren, 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, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Thorne, Tuell, Underwood, Wadsworth, Warren, White.

ABSENT - Cebra, Grignon, Javner, Martin, Paulhus, Stearns, Theriault.

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 **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-293)** on Bill "An Act To Provide Safe Gear for Female Firefighters" (H.P. 1056) (L.D. 1440)

Signed:

Senator:

DESCHAMBAULT of York

Representatives:

WARREN of Hallowell
COSTAIN of Plymouth
LOOKNER of Portland
MORALES of South Portland
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

Representatives:

NEWMAN of Belgrade
PICKETT of Dixfield
RUDNICKI of Fairfield

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-293)** 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-293)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Create Fairness in the Treatment of Students by Retaining Students with Certain Vaccine Exemptions" (H.P. 62) (L.D. 96)

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
ROCHE of Wells
SALISBURY of Westbrook

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

Signed:

Senator:

WOODSOME of York

Representatives:

LYMAN of Livermore Falls
SAMPSON of Alfred
STEARNS of Guilford

READ.

Representative BRENNAN of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on the motion to **ACCEPT** the 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. 120

YEA - Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dillingham, 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, Peabworth, Perry A, Perry J, Pierce, Reckitt, Rielly, Riseman, Roberts, Roche, Roeder, Sachs,

Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Cebra, Grignon, Javner, Martin, Paulhus, Stearns, Theriault.

Yes, 83; No, 61; Absent, 7; Excused, 0.

83 having voted in the affirmative and 61 voted in the negative, with 7 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED**.

On motion of Representative DILLINGHAM of Oxford, the House **RECONSIDERED** its action whereby the Majority **Ought Not to Pass** Report was **ACCEPTED**.

The SPEAKER: The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: Thank you, Mr. Speaker and thank you, Representative from Oxford, for the reconsideration on this bill.

This bill serves one purpose and one purpose only. The purpose of this bill is to keep kids in school. Current law allows a student covered by an individual education plan who elected philosophical or religious exemption from immunization on or before September 1, 2021, to continue to attend school after September 1, 2021, without being immunized as long as certain statements regarding acknowledgment of the risk and benefits associated with the choice to immunize are provided.

This bill extends an exemption to any student who elected a philosophical or a religious exemption from immunization on or before September 1, 2021. This bill makes no changes to the law that was passed last session. This bill is a simple matter of fairness that will allow kids in school now to complete their education with their classmates. This is just not right to change the rules on people who have made life-long commitments to our State and our communities. When families set roots in a community, these are life-long commitments. They buy a home, settle into careers, they enroll children in school that they will spend the next 13 years attending. These children have made friends, built relationships, gained school pride and consider where they live their home. It would be immoral to kick them out.

This bill does not put vaccine rates at risk. After extensive testimony last year from both proponents and opponents of the bill that was passed, we know that the statewide vaccination rate is over 95% and actually higher when you look at the grade levels above kindergarten. The vaccinated rate will only increase more every year as this group of children with an exemption age out.

Maine schools can't afford to lose these children and the State of Maine can't afford to lose these families.

I live in a rural area and we have a small school district, RSU 24. My school district had 125 students unenroll this year. If the State uses the standard reimbursement formula, my tiny school district stands to lose \$500,000 in state reimbursement funding. This is more than just a large amount,

this is catastrophic. It amounts to removing 10 or more teachers from the classrooms.

Maine has 185,000 students in 617 schools. Only 8,000 students aren't fully vaccinated. But regardless of the reasons for this year's withdrawal, one thing is clear; parents have proven that they are willing to homeschool their children when they are left without options.

Members of the Body, I ask you to search your heart and allow these students to finish their education with their friends and classmates. These years are so important in a young person's development, both educationally and socially. Please decide not to rob them of their school experience.

The SPEAKER: The Chair recognizes the Representative from Wales, Representative Greenwood.

Representative **GREENWOOD**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the current motion and I'd like to; if I can retain my composure, I would like to address the Body.

For anybody who was in the 127th Legislature with me, you had the opportunity to meet my three children. One of my children nearly died as a result of a vaccination. He was hospitalized for nearly 10 days. A couple years later, when we registered him for prekindergarten, we were encouraged to try again, maybe it's just a fluke. Having done all the research on vaccinations and their effectiveness and safety, etcetera, we made the decision to try again.

My child had a severe and adverse reaction. However, we had gone above and beyond and asked our medical professional to provide us with a single-dose vaccination as an option and that's what we believed we were putting in our child. With that second reaction, it was later determined that it was not from a single-dose vaccination, it was from the multi-dose.

I, as a parent, am not willing to risk my child's life, but I don't have the financial means to homeschool my child. I don't have the financial means to put my child in a private school, Mr. Speaker.

My children have all three been enrolled in our school district. It breaks my heart that my next-year junior will not be able to attend public school to finish his career. I spoke with our health care professional and they said they're not really interested in doing medical exemptions because of all the paperwork that goes with it.

But, Mr. Speaker, I don't know what I'm going to do, but I've got three kids enrolled in public school, who love their school district, are all well within the school district, my oldest has been an honor roll student up through the pandemic last year, this has been a challenge, this last year, but our school board is indicating that they are going to reopen schools but I got a letter from the superintendent that says without this qualification, I won't be able to put my kids back in school.

I'm not here to debate the law, I'm here to debate the bill that the Good Representative from Winter Harbor put forward to allow students who are currently enrolled in public school to continue their education. Thank you, Mr. Speaker.

Representative DILLINGHAM of Oxford **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. 121

YEA - Arford, Babbidge, Bailey, 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, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCreia, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Peabworth, Perry, Pierce, Reckitt, Rielly, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Cebra, Grignon, Javner, Martin, Paulhus, Stearns, Theriault.

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 **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Promote School Attendance by Exempting Virtual Public Charter School and Private School Students from Immunization Requirements"

(H.P. 112) (L.D. 156)

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-304)** 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 Not to Pass** Report.

Representative DRINKWATER of Milford **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 Milford, Representative Drinkwater.

Representative **DRINKWATER**: Thank you, Mr. Speaker. I just heard a gut-wrenching testimony, I'm sorry. I feel sympathy for everybody that's had to go through a situation like that.

I had the pleasure of serving on Education in the 129th and we had that bill come before us, Mr. Speaker, and I'm not going to reiterate that bill. It was just heart wrenching to hear the stories. So, I'd like to start out my testimony, Mr. Speaker, by a couple of quotes that I heard in Labor and Housing.

Quote; imagine parents having to juggle taking time off to help their children with remote learning when schools and daycares were shuttered.

Quote; as lawmakers, it is our duty to help improve the lives of our fellow Mainers. If we truly care about workers, our families and our seniors, our policies ought to reflect them, end-quote.

Now, one would think that this is testimony given before the Education Committee. But, no, these quotes were presented by the Good Senator from Brunswick and the Good Representative from Cape Elizabeth to the Labor and Housing Committee. LD 156 asked the Education Committee to listen to the words of Mainers and how they are struggling to keep their children in school. Listen to the children who testified about wanting to stay in school with their friends.

Little Samuel, age 13, quote; he doesn't want to continue to be homeschooled but wants to go back to Riley because his friends are there. Little Vivian, age 10; she misses her friends, she wants to be with them, end-quote. I could go on and on with the different testimonies about what parents and kids have learned from attending school through Zoom. Elizabeth Chadlow said it best, and I quote; parents who decided to vaccinate their children starting in March of 2020, just as the pandemic started, soon found their pediatrician's office closed. We should extend to those Mainers, extra time to comply. After all, we extended and showed flexibility because of the pandemic. Lessons learned from this pandemic; number one, children need to be schooled for a host of reasons. They do better academically; socially. They need mentoring, positive reinforcement, physical education, a dependable meal, and a hug once in a while, and sports.

No matter how hard we try, Mr. Speaker, we cannot sterilize the classroom. When the school year starts in September, children with IEPs can still get a medical exemption, thus once again proving that the school cannot be sterilized. LD 156 asks the Education Committee to seek an opinion on Article VIII, Section 1, of the Maine Constitution, which states that, and I quote; A general diffusion of the advantages of education being essential to the preservation of the rights and liberties of the people; to promote this important object, the Legislature are authorized and it shall be their duty to require, the several towns to make suitable provision, at their own expense, for the support and maintenance of public schools, end-quote.

What does this mean? To me, the simple reading is that our schools are required to provide a free and appropriate education. This fall, superintendents will be asked by the parents that cannot send their children to school to provide tutors. There isn't enough money to fund tutoring to the thousands of children that will be denied entrance this September. Remember, schools are provided state funds based on school enrollment and school will see reduction in those funds.

Secondly, the committee was asked to seek an opinion about the vaccination requirements for private religious schools. Those schools take zero dollars from the State. Bangor Baptist Church v. State of Maine, 1982, and I quote; a federal judge ruled that the Maine State Department of Education overstepped its legal authority by threatening to close Christian schools that refused to comply with state requirements for private schools.

Mr. Speaker, I'm not a lawyer, but that is black-letter law. There are 26 private religious schools in Maine with hundreds of students. What are we to tell them? As lawmakers, it is our duty to help improve the lives of our fellow Mainers. My hope for the Education Committee was that it would seek advice from the Attorney General's Office. Sadly, my hopes were dashed when I saw that a workshop was scheduled one week from the public hearing. Bear in mind that LD 156 was presented to the House on January 21st.

I reached out to the Chief Executive Officer through email. I called and left a message for her Chief of Staff, Jeremy Kennedy, on April 29th. To this day, the open-door policy is closed.

An argument was made by those opponents to LD 156 that the voters have spoken in March of 2020 by 72% of the voters, and that is the will of the people. Those who have served previously in this Body remember that the will of the people in November of 2003 was to fund education at 55%. Are we there yet? No, but we're close.

June 2010, Maine voters turned down a tax increase proposed by the Chief Executive Officer, Governor Baldacci. The voters wanted to keep sales tax at 5%. It is now 5.5%.

Bangor Daily News headline, March 2, 2017, Mr. Speaker; Legislative Tampering with Minimum Wage Ignores the Will of Maine Voters, end-quote.

In closing, I'd like to read a resolve that was passed in this Body that we, the Members of the 129th, now assembled in the second regular session, on behalf of the people we represent, take this opportunity to support putting the interests of children first in all legislation we vote that is related to public education. Thank you, Mr. Speaker, I conclude my remarks.

The SPEAKER: The Chair recognizes the Representative from Stonington, and inquires why she rises.

Representative **McDONALD**: Mr. Speaker, Point of Order. Thank you, Mr. Speaker. The comments of the Good Representative are questioning the motivations of a Member of the Legislature.

On **POINT OF ORDER**, Representative McDONALD of Stonington objected to the comments of Representative DRINKWATER of Milford because he was questioning the motives of other members of the House.

The SPEAKER: The Chair will provide a general reminder about not questioning the motives of other members.

The Chair reminded all members that it was inappropriate to question the motives of other members of the House.

The SPEAKER: The Chair recognizes the Representative from Dixfield, Representative Pickett.

Representative **PICKETT**: Thank you, Mr. Speaker. I'd like to pose a question to the Speaker, if I may.

The SPEAKER: The Member may proceed.

Representative **PICKETT**: Thank you, Mr. Speaker. The question is to anyone who can answer it or would like to answer it. What is the risk to fully-vaccinated students from attending school with an unvaccinated student? Thank you, Mr. Speaker.

The SPEAKER: The Representative from Dixfield, Representative Pickett has posed a question to any member who may care to respond. Seeing none, 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. 122

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Kryzak, Landry, Lookner, Madigan, Martin J, Martin R, Matlack, McCREA, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, 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, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fay, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Johansen, Kinney, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Pluecker, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Cebra, Grignon, Javner, Martin, Mathieson, Paulhus, Stearns, Theriault.

Yes, 81; No, 62; Absent, 8; Excused, 0.

81 having voted in the affirmative and 62 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 **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Amend the Laws Governing Vaccines by Reinstating Religious Exemptions"

(H.P. 601) (L.D. 833)

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
ROCHE of Wells
SALISBURY of Westbrook

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

Signed:

Senator:

WOODSOME of York

Representatives:

LYMAN of Livermore Falls

SAMPSON of Alfred

STEARNS of Guilford

READ.

Representative BRENNAN of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative KINNEY of Knox **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 Knox, Representative Kinney.

Representative **KINNEY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In the 129th Legislature, when discussing LD 798 prior to its passage, I had the opportunity to speak with a Member of the other Body who is now a retired physician. They explained that when Vermont passed a similar religious exemption, although they initially saw a slight decline in vaccination rates, within a couple of years their vaccination rates came back up to the above --

The **SPEAKER**: The Member will defer. It is very difficult to hear with a lot of the side conversations. If you want to have side conversations, the Chair would ask Members to take them behind the glass or out in the hallway. The Member may proceed.

Representative **KINNEY**: Thank you, Mr. Speaker. I'll back up a little bit. I had had an opportunity to speak with a Member of the other Body who is now a retired physician and they explained that when Vermont passed a similar religious exemption, although they initially saw a slight decline in vaccination rates, within a couple of years the vaccination rates came back to above the 95% magical vaccination rate among school-aged children. This fellow legislator from across the hall and aisle seemed disheartened that we couldn't reasonably allow the religious exemption to remain. When the language of LD 798 goes into effect in September of this year, I fear that our State will be saddled with lawsuits against peoples' constitutional right to their freedom of religion.

Now, concerns over constitutionality will only, of laws like 798, which is now chaptered law, will only be able to be deemed unconstitutional in court, but this could become a very lengthy and costly issue to our State. So, please join me in opposing the pending motion and return our constitutional rights. 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. 123

YEA - Alley, Arford, Babbidge, Bailey, 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, Kryzak, Landry, Lookner, Madigan, Martin J, Martin R, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer,

Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, 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, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Kinney, Lemelin, Libby, Lyford, Lyman, Mason, Mathieson, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Pluecker, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Cebra, Grignon, Javner, Johansen, Martin, Paulhus, Stearns, Theriault.

Yes, 82; No, 61; Absent, 8; Excused, 0.

82 having voted in the affirmative and 61 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 **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-206)** on Bill "An Act To Limit the Use of Hydrofluorocarbons To Fight Climate Change"

(H.P. 161) (L.D. 226)

Signed:

Senators:

BRENNER of Cumberland

BENNETT of Oxford

Representatives:

TUCKER of Brunswick

BELL of Yarmouth

BLUME of York

DOUDERA of Camden

GRAMLICH of Old Orchard Beach

JOHANSEN of Monticello

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

O'CONNOR of Berwick

READ.

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

The same Representative **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 Brunswick, Representative Tucker.

Representative **TUCKER**: Fellow House Members, hydrofluorocarbons are coolants used in air conditioning, commercial refrigeration. They're also used as propellants and in foam insulation. Hydrofluorocarbons are a highly potent greenhouse gas, far worse than CO₂.

Replacing hydrofluorocarbons industrywide with available alternatives is a key to reducing greenhouse gasses and it's doable. Globally, replacing hydrofluorocarbons with a safer alternative may avoid up to one-half degree Celsius of warming by 2100. This is huge. In the fight against global warming, this is low-hanging fruit and there's no appropriation on this bill.

As part of the strong recommendations of the Chief Executive's climate council, Maine should join this effort. It is a broad effort of international groups, states and industry. By this bill, we would be joining American industry, other states and international efforts to transition away from hydrofluorocarbons. Thank you, Mr. Speaker.

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, everything that my good friend from Brunswick has said is true except there's a component we're not talking about. The gasses that we're talking about replacing in other words, a new series of gasses that are being required and the ones that you're replacing that this won't fix any problem. The problem isn't the type of gas, the problem is the gasses leak. The systems that are installed all over the State of Maine, especially commercial, they consume, not because they ever use it, they consume by leakage thousands and thousands of pounds of these refrigerants.

The only solution is not replacing existing chemicals with a new series, all you do then is you simply make chemical companies super-wealthy and they don't care, they're happy to have you buy their chemicals. The fix, of course, is to start the program to repair these. During the committee hearings on this, we had a great tutorial of all the possible ways to start that process, but I'm afraid this bill doesn't affect that at all. As far as Maine's contribution to the world's CO₂ content, if you remove the State of Maine entirely from planet Earth, you would remove exactly one-seven-thousandths of the total CO₂ emitted in the atmosphere every year.

This bill, although well-intended, is unnecessary. Federal legislation is already on the way that mirrors it in some degree. Actually, the State of Oregon which was looking into these same proposals, stopped the legislation for that very reason. I won't talk about another pending item, but that's another issue for another session. But I ask you to follow my light and not bother giving the chemical companies a raise. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Monticello, Representative Johansen.

Representative **JOHANSEN**: Thank you, Mr. Speaker. Folks, you've seen my name on the side supporting this and I just don't want you to put too much weight on that. I supported it because it was the best we could do with a really, really bad bill. So, go where you want, don't put too much weight on where my name sits on that.

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. 124

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carlow, Cloutier,

Collings, Copeland, Corey, 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, Pebworth, Perry A, Perry J, Pierce, Pluecker, Poirier, Reckitt, Rielly, Riseman, Roberts, Roche, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Wadsworth, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Cebra, Grignon, Javner, Martin, Paulhus, Stearns, Theriault.

Yes, 88; No, 56; Absent, 7; Excused, 0.

88 having voted in the affirmative and 56 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-206)** 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-206)** 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-298)** on Bill "An Act To Establish Appliance Energy and Water Standards" (H.P. 696) (L.D. 940)

Signed:

Senators:

BRENNER of Cumberland
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:

Senator:

BENNETT of Oxford

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.

The same Representative **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 and Ladies and Gentlemen of the House. I rise in opposition to the pending motion and I do intend --

The SPEAKER: The Member will defer. Again, it is difficult to hear the Member as he is speaking because there's a lot of side conversations. The Member may proceed.

Representative **HANLEY**: Thank you, Mr. Speaker. I do intend to speak, as you can obviously tell. I'm going to read directly from the amended version, page one, line 23. And it says these things will no longer be allowed for sale in the State of Maine after a certain date, December 9, so, nonetheless, these items; computer screens and terminals, general service lamps, commercial hot food holding cabinets, plumbing fittings, showerheads, lavatory faucets, kitchen faucets, public lavatory faucets, metering faucets, kitchen replacement aerators, lavatory replacement aerators, plumbing fixtures, portable electric spas, spray sprinklers bodies and water dispensers.

These things would all not be allowed to be sold in the State of Maine unless they met California standards. And if you go to the summary, I would direct you to the very last sentence. It says lastly, this bill, this document, allows the department, which is the Department of Environmental Protection, to incorporate by rule to the State of California's efficiency regulations. In other words, this State is going to be ruled by another state by technical rule changes, which is incredible. The State of California, people are leaving in droves. I hope they don't come here. These ideas, you know, you're going to have another state, when it passes a regulation, this State by rule, not by decision in a Body like this, is going to accept these new standards. And I find it almost, I can't describe it. As a free man, in a free country, where I have to have this government tell me how much of a faucet I can have, in other words, I can't regulate the flow of water into my sink, the government has to do that. And not only the government of my State does that, but it does it by taking orders from another state, the State of California. I ask you to follow my vote and defeat a very poorly-crafted piece of legislation. Thank you.

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

Representative **PLUECKER**: Thank you, Mr. Speaker, for the opportunity to speak to this bill. This is the third year we've been working this, crafting it and making sure that it meets the highest and best need of the people of the State of Maine.

If this bill passes, we're going to be saving our ratepayers something like \$9 million a year by the year 2025. By the year 2035, we'll be saving our ratepayers something like \$35 million a year. We're going to do this for the low, low price of below \$100,000, creating a position in the Department of Environmental Protection.

To be clear, this allows us to follow the California regulations if we like but there's nothing saying we have to follow California, we can do as we darn well please, thank the Lord.

And I also want to be clear that this moves us forward as a state. This is good for our ratepayers, this is good for the people who elected us to this district. This is supported by a wide diversity of organizations; Maine Conservation Voters, NRCM, the Appliance Standards Awareness Project, Environment Maine, Sierra Club, Acadia Center, Northeast Clean Energy Council, Efficiency Maine, as well as a wide variety of other product and manufacturing groups such as National Association for Energy Science companies, National Consumer Law Center, Performance Systems Development, Pool and Hot Tub Alliance. So, we're all over the place. There's a lot of people supporting this, this is happening across the nation, it puts us in line to be able to do something better and save money in ways that we haven't been able to up to now. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Standish, Representative Ordway.

Representative **ORDWAY**: Thank you, Mr. Speaker, my Colleagues of the House. I urge you to think about this and I'm going to come at it from a different angle. Years ago, we started to follow California's emissions standards for automobiles. Then their law came out emissions standards for vehicles were California, Maine, 48 states. Have you waited to get parts for your vehicle? Have you been paying extra to have your vehicles repaired? Since we got into the California standards in the State of Maine, it's all risen in cost. It's cost our constituents unnecessarily to follow California standards. God help us if we become California. Defeat this motion. Let's make our own rules. Thank you.

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

Representative **UNDERWOOD**: I rise in opposition to the pending motion also and it is none of government's business to tell the private citizens what to do. If there's something, for example, like drunken driving, for the public good, so be it. But in most cases, and this is one of those cases, it's none of their business. Thank you.

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

Representative **STETKIS**: Thank you, Mr. Speaker. You know, if you like the idea of having less choices on whether it's your plumbing products or some of these other items that are being targeted, this is the bill. This is your bill. If you like the idea of having to flush your toilet three times instead of one time, this is your bill.

In the residential industry, we have seen this over and over and over the last 20 years where these brilliant ideas come forward that we're going to only use these particular products because somehow they're going to save energy and what we're finding in the real world is it's actually costing more, we're using more energy. If you look at, in the rural areas of the State, a lot different than those in the urban areas, every time we use water, we have to use electricity as well. We're not just turning on the pipes to the public water system. So, if we've got to flush that toilet three times to make it work where it used to work once with the old, you know, the old-style ones, we're using three times the power, we're using three times the water. If you like those ideas, this is your bill. If not, let's vote this thing down.

The **SPEAKER**: The Chair recognizes the Representative from Weld, Representative Skolfield.

Representative **SKOLFIELD**: Thank you, Mr. Speaker. I'd like to pose a question to the House.

The **SPEAKER**: The Member may proceed.

Representative **SKOLFIELD**: Mr. Speaker, I wondered if anyone could tell me how many other states, especially those in New England, who have adopted the California standard, and which now follow the California standard and go by what the California standard is and how it has changed. Thank you.

The **SPEAKER**: The Representative from Weld, Representative Skolfield, has posed a question through the Chair to any Member who may wish to answer. The Chair recognizes the Representative from Warren, Representative Pluecker.

Representative **PLUECKER**: Thank you, Mr. Speaker. I have it in my files and I can't tell you precisely, but it is Hawaii, Oregon, Washington, a very similar bill was passed in Vermont, something like 34 states in the country have passed some form of appliance energy standards.

The **SPEAKER**: The Chair recognizes the Representative from Dexter, Representative Foster.

Representative **FOSTER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The pending motion, I oppose and I'd like to just briefly say that the folks in a good part of the State of Maine, especially the constituents I represent, we have plenty of water supply and while I appreciate the Good Representative from Warren wanting to save my ratepayers in the local utility district money, I would prefer that they have a choice what they spend their money on. If they want to use more water for their dollar, then fine, if they want to go down to the store and buy cigarettes, that's up to them, it's not up to me.

Lastly, next to lastly, these water-saving appliances and other energy-saving appliances are available now for those who want to save the money, and I would suggest that we let them make that decision. And, lastly, I would just say that as far as a law like this goes, I don't think this is something that the State of Maine Legislature needs to pass; it can be done locally for those areas in Maine that are concerned about these issues, especially water supply, and for the municipalities that have large water districts, you have various ways to enforce these laws in your own area, including the building and plumbing codes. I would suggest that that would be the best route to take on this and let the rest of us use the water that we have available as we see fit and spend our dollars as we see fit. I'd ask that you follow my light. Thank you, Mr. Speaker.

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

Representative **KINNEY**: Thank you, Mr. Speaker. May I pose a question through the Chair?

The **SPEAKER**: The Member may proceed.

Representative **KINNEY**: A couple of my questions, I guess I've got two questions. One, when it comes to the water, I think the question was, or the comment was made that we're going to save ratepayers, so, how does this actually help the person who has a well and isn't paying for their water except for having to pay for that electricity? And then, on the lamps, I'm concerned because as someone who has a business and we have lamps and lights, commercial lights in our facility, I remember when we went away from incandescents in the home to the curlicues that were full of mercury, if they fell you had to call a hazmat team to come and clean up the broken

lightbulb. What are we looking at for replacements for these if we follow these standards?

The **SPEAKER**: The Representative from Knox, Representative Kinney, has posed a question through the Chair to any Member who may wish to answer. The Chair recognizes the Representative from Warren, Representative Pluecker.

Representative **PLUECKER**: Thank you, Mr. Speaker. In terms of the water savings, what we're really looking at is the hot water because most of the water we're using for bathing and washing ourselves and our clothing and our dishes is hot water and so, the energy you're really, or the money you're really saving in that case is using less hot water, and so, that's the return on there.

And then in terms of lamps, you're exactly right, the curlicues and that kind of thing added mercury in a situation that we really didn't want it, became a whole hassle, so, what we're looking at now is the LEDs that many of us are now using in our homes and that's going to meet the standards that we're talking about here. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Buxton, Representative Blier.

Representative **BLIER**: Thank you, Mr. Speaker. I guess one comment I would make is this; we used to buy fridges, they'd last 30 years, now they don't last five. Yes, we're saving energy, but we spend it on buying new fridges every five years. Is it really worth it? Now we're filling landfills and we're throwing the liquids inside the pumps with freon which is not good for the environment. So, are we really moving forward? I'm sure that some utilities work, but not all. That's my point. 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. 125

YEA - Alley, Arford, Babbidge, Bailey, 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, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, 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, 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, Haggan, 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, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Cebra, Grignon, Javner, Martin, Paulhus, Stearns, Theriault.

Yes, 82; No, 62; Absent, 7; Excused, 0.

82 having voted in the affirmative and 62 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-298)** 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-298)** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Provide Stable Funding and Support for Child Care Providers"

(H.P. 510) (L.D. 698)

Signed:

Senators:

CLAXTON of Androscoggin
BALDACCI of Penobscot
MOORE of Washington

Representatives:

MEYER of Eliot
CONNOR of Lewiston
CRAVEN of Lewiston
GRIFFIN of Levant
JAVNER of Chester
LEMELIN of Chelsea
PERRY of Calais
ZAGER of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-327)** on same Bill.

Signed:

Representative:

MADIGAN of Waterville

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 Authorize and Regulate Visitation of Essential Caregivers at Long-term Care Facilities" (EMERGENCY)

(H.P. 817) (L.D. 1139)

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-336)** on same Bill.

Signed:

Senator:

MOORE of Washington

Representatives:

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

READ.

Representative MEYER of Eliot moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative GRIFFIN of Levant **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**: Mr. Speaker and my distinguished colleagues, I rise in opposition to the pending motion. In the spring of 2020, Auburn resident Audrey Murphy's father fell at his assisted living facility. Upon discharge from the hospital, he was sent to a local rehab facility. With no family visits to provide familiarity and routine, his mental status deteriorated and he was discharged to a memory care unit. Midsummer, Murphy got a phone call notifying her that he was dying and to come quickly. Several family members were able to be at his side for a short time and then they were told to leave. On her drive home, Murphy received the call that her father had died alone. She attributes her father's rapid mental and physical decline and subsequent death to isolation and says no one should be forced to die alone.

According to the CDC, recent studies found that social isolation significantly increased a person's risk of premature death from all causes, a risk that may rival those of smoking, obesity and physical inactivity. Social isolation was associated with about a 50% increased risk of dementia and loneliness among heart failure patients was associated with a nearly four-times increased risk of death.

Around the country over the last year, there has been a new cause of death listed on death certificates; social isolation and failure to thrive. Failure to thrive is a medical condition characterized by reduced appetite, weight loss, lower activity levels, often with depression, and closely linked with isolation. A study done in a Chicago-area nursing home found that two-thirds of their residents lost weight between December 2019 and the end of April 2020.

Have we indeed succeeded in protecting the vulnerable or have we done just the opposite and encouraged physical and mental decline brought on by the very best of intentions?

If you look at the optimistic median survival of 2.2 years once admitted to a long-term care facility, rather than the five months that other studies report, that means we have isolated our elderly for over half of their remaining life span.

When I asked the public for comment on this bill, I received over 250 responses in very short order. I quote; my father with dementia is a new admission to a nursing home in Augusta. His inability to make this transition with his wife and daughters by his side has made this transition extremely traumatic on him. The restrictions placed on loved ones is cruel and inhumane. Interaction with loved ones is essential for their mental and physical well-being. My stepsister has been deprived of this vital support for a whole year and has suffered mentally, physically and emotionally from this deprivation. It has contributed to her impending death. Another one; I brought my mom up here from Alabama because she couldn't live alone anymore. She ended up in a nursing home due to a fall right at the beginning of the pandemic and I haven't been able to give her a hug. She's aged 20 years in that place. She always looks disheveled, no matter what time of day I see her. I'm a lucky one, I can do window visits, but she has a hard time holding the phone and she can't hear well, so, basically, it's just staring at her through a window and it's breaking my heart. Another; my mom was in a care facility. We pulled her and took her home because both heels had bedsores, which they kept from us. Another; my husband has Alzheimer's. There's a lot he does not remember and simple things are confusing to him, like window visits and video calls, but it is very clear to him that I have not been there. His health has deteriorated rapidly. It's easy to see. The staff is stressed out and they need our help. He has nosebleeds often but the staff struggles with remembering to turn on the humidifier I brought to help him. My grandmother is 94, with progressively worsening vision and vascular dementia. It's been over a year since we hugged her. She cries when we talk. It's been a nightmare and I just wonder why her staff is allowed to come and go, but we can't.

My bill, Mr. Speaker, seeks to balance protecting our elders from the deleterious effects of isolation while ensuring proper precautions. No matter what situation we find ourselves in, residents must maintain the right to stay connected with a loved one. If passed, these guidelines would be in place to guide visitation in any future pandemic.

When considering legislation, it's important to ask what problem does this fix. Here in Maine, we have many wonderful long-term care facilities and caring staff that work so hard to support our elders over the last year. Despite that, there remain considerable inconsistencies to their approaches to visitation. Some facilities have allowed family members to take their loved ones to doctor appointments outside the facility throughout the pandemic, while others have not. Some have allowed visitation for hospice residents, while others have limited such visits.

Despite the Centers for Medicare and Medicaid services issuing guidance allowing for compassion care visitation in nursing homes during COVID, there has not been a set protocol here in Maine. In fact, there was a woman who emailed me after the work session on this bill. She works as an administration in a long-term care facility. She's been in long-term care for many years. But over the last year, there's been such confusion over the Centers for Medicare and Medicaid guidelines that she was unaware of the guidelines around compassion care visits, which my bill addresses. She told me that after the work session, when I shared what I did regarding the federal guidelines around visitation, that she was able to speak with the directors of the facility where her own mother is and she was able to see her mother for the first time since her mother had been admitted to that facility. She then shared the information that I had shared with her from Centers

with Medicare and Medicaid around the guidelines with another staff person at that facility. That staff person had not been able to see her mother that was a resident in a different area in that facility for over a year and was able to see her when the federal guidelines were properly applied.

This bill would address those inconsistencies by establishing the right of a resident of a long-term care facility to designate one individual as their essential caregiver. That one essential caregiver could visit the resident at the request of the resident at any time and could not be prohibited from visiting because of an outbreak of disease or other reason, as the CMS guidelines designate for compassion care visits.

The essential caregiver is subject to the very same requirements as employees of the facility, including requirements for illness screening and testing and the use of personal protective equipment. Despite those requirements, there is no fiscal note for this bill. The resident of the facility may have only one essential caregiver at a time and a change in essential caregiver must be coordinated between the resident, the essential caregiver, and the facility director.

It's important to remember when considering this bill that visitation for many residents is not simply a social occasion, but it is literally a matter of life and death. In the end, no facility or staff can ever take the place of a family member or loved one caring for their elder.

Finally, this bill puts into Statute the provisions that the Centers for Medicare and Medicaid require around compassion care visits that our State has ignored for the past year. I ask that you follow my light and vote against the pending motion.

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, I learned firsthand last year what it's like to be alone in a place that you can't have visitors. I was in the hospital for 42 days. The first 18 days, I was able to have one visitor, my wife. That was up here at Maine General. When I went back to Lewiston to Central Maine Medical Center, I was there for 23 days alone. Could not have a single visitor. I cannot imagine what these older folks go through when they're in a long-term care facility. It's gut-wrenching to not have anyone you're familiar with around you at any point in the day for weeks at a time. Fortunately, this day and age, I have an iPhone, I can communicate with my wife, I can facetime with her, but I couldn't see my children, my daughter was up from South Carolina helping my wife, I couldn't visit her, I couldn't visit any one of my family for 23 days, Mr. Speaker. Please vote this motion down. Follow my light. Thank you.

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

Representative **HUTCHINS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. About four years ago, my mother started the process of Alzheimer's and dementia and over time it gets extremely difficult to care for folks like that 24/7 and we moved into her home, my wife and I, and days that we couldn't be there, we would have other family members there and we had some hired help there from time to time, but 24/7 somebody had to be there. And we did look into nursing home care and we looked at a very lovely nursing home in Bangor and that was, oh, a year and a half ago, maybe. And we decided not to do it because that was during COVID and we realized that if we did put her in, we wouldn't be able to go see her. And so, we kept her at home and she died while I was holding her hand. And that's important. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Standish, Representative Ordway.

Representative **ORDWAY**: Thank you, Mr. Speaker, my Colleagues in the House, I'm going to try to speak. Many of you know I recently lost my wife. Back in July, she was admitted to Maine Medical Center. She sat there, my story only lasted four days before I could see her, but she sat there alone and me on the outside and they told her the first day you have stage 4 pancreatic cancer. No visitors. Imagine somebody going through that for months and months and months. Defeat this bill, please. Put yourself in the position of these people. I only had to do it for four days. It was terrifying. Terrifying. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Eliot, Representative Meyer.

Representative **MEYER**: Thank you, Mr. Speaker. Mr. Speaker, esteemed House Colleagues, it has been a long, terrible 15 months. And while we're close, it's not over. COVID-19 continues to hospitalize and, sadly, kill Mainers. The restrictions we have lived under have been extraordinarily difficult for people living in nursing homes and for the people who love them. The loneliness and longing for loved ones has been excruciating. And while the detrimental impact of social isolation resulting from visitor restrictions during a pandemic cannot be overstated, for an elderly person contracting COVID-19, the associated illness and painful death that far too often ensues is the very reason this bill should not become law.

The bill establishes the right of a resident of a long-term care facility to designate a person as an essential caregiver who may visit the resident at any time and who may not be prohibited from visiting because of an outbreak of disease; any disease, not just the one we've come to know so well, but any communicable disease. Say, Ebola or any other reason. This bill will allow multiple visitors at any time throughout a facility, a congregate setting filled with vulnerable seniors, regardless of positivity rates of any communicable disease, and allows for that visitation even in an outbreak situation.

LD 1139 would render our nursing facilities, where 60% of COVID-related deaths in this State have occurred, unable to best prevent or mitigate the outbreak of a deadly virus and would place them in the untenable position of having to choose between breaking state law or violating the federal guidance issued by the Centers for Medicare and Medicaid services, should it be for a recurrence of the current pandemic or for the one that may come next.

We are in a period of fragile recovery following a horrific year. The impact that COVID-19 has had on older Mainers has been disproportionately unfair. But we are turning the corner and with the vaccination and adherence to commonsense public health precautions like mask use, the precious lives of our nursing home residents are beginning to normalize. For their sake and that of the dedicated staff who care for them in Maine's nursing facilities, I ask you to support the pending motion and follow my light.

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

Representative **LEMELIN**: Thank you, Mr. Speaker. There's a few problems with this. One, I am in opposition. If a staff member, doctor, nurse, caretaker of any kind can be in the room with a person with COVID, then anyone can. So, if they can protect a nurse or a doctor, they can protect a family member. They're one and the same. If a nurse can go in, provide care, and leave safely, which they do and have been

for over a year, then so can any visitor. So, this bill should be allowed.

Also, I take offense to people continuously blaming COVID for everything that's going on. COVID is a virus. It doesn't have a brain to think, it doesn't go out and destroy everything. It's not the culprit here. The culprit has been for over a year and a half the handling of COVID. It's how the CDC, the Chief Executive and everyone else has been handling COVID poorly. If it would've been handled rightly, we would be settled.

The **SPEAKER**: The Member will defer. The Chair recognizes the Representative from South Berwick, Representative Roberts, and inquires as to why she rises.

Representative **ROBERTS**: Mr. Speaker, Point of Order. Mr. Speaker, the Good Representative is questioning the motives of the Chief Executive.

On **POINT OF ORDER**, Representative ROBERTS of South Berwick objected to the comments of Representative LEMELIN of Chelsea because he was questioning the motives of the Chief Executive.

The **SPEAKER**: The Chair would advise the Body that it is of the opinion of the Chair that the Member was criticizing the policies of the Chief Executive and not providing comment on the motives of the Chief Executive. The Member may proceed.

Representative **LEMELIN**: Thank you, Mr. Speaker. That was my intent.

So, once again, I want to reconfirm. Everybody in this Body knows that if one person can be protected, anyone can be protected. So, let's pass this, let's show that we have compassion for the needs of others and let's move on. As a great person told me yesterday; it's time to move forward. So, Mr. Speaker, I'm going to ask everybody to do what that great man told me to do; move forward. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Lewiston, Representative Craven.

Representative **CRAVEN**: Thank you, Mr. Speaker and Men and Women of the House. Every long-term care facility in this State welcomes visitors and families because they're a great asset to them when they are allowed to go in. They are licensed by the federal CDC and that they have to follow rules. They are licensed by the State of Maine and when the rules are in contradiction to each other, they are at risk of losing their financing and their licensing and I serve on the Hospice Council of Maine, and we know that people have suffered all this 15 months. They've suffered in long-term care and in home care and in group homes, and to put people at risk that share rooms or that share common areas is unconscionable and thank you very much.

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. In 2017, my uncle was admitted to St. Mary's Hospital in Lewiston with, among other issues, the flu, influenza. I visited him while he was there. He was in isolation, couldn't leave his room. But when I visited him, it did wonders for his mental state, which was questionable at the time. He felt isolated but he lit up when I visited. I had to gown up, I had to wear gloves, I actually don't remember having to wear a mask, which is probably why despite the fact that I had the flu shot that year, I ended up getting the flu, most likely from him. I wouldn't change my decision for any reason to

have visited him in the hospital because within a year, we lost him forever.

This is so important to our families to be able to be there with our loved ones right to the end. They need us just as much as we need them. Please follow my light and oppose the pending motion. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Hodgdon, Representative Quint.

Representative **QUINT**: Thank you, Mr. Speaker. I hope I can do justice to my thoughts regarding this. But as a registered nurse who has worked in a long-term care facility, one of the aspects that has not been brought up that I really hope that Members can think about is that family members who come in to help support provide much-needed respite to the people who are taking care of all of our loved ones within these facilities. And, since COVID, this has been lacking. Family members have not gone in to assist with bathing, with cleaning, with helping people just eat their meals in general. We have been so understaffed and the care has been extremely subpar, and I am not saying that to make my colleagues, not here but within the health care field, look bad, they have worked so extremely hard to make due and to just overcome the deficits. They are working short-staffed on top of it.

And so, I'm hoping that you can just think about what one person coming in to help their loved one is able to do. They give all of the other health care professionals time to take care of the other things that need to be done when they're so short-staffed. So, I just wish that you could follow my light and defeat this. Thank you very much.

The **SPEAKER**: The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: Thank you, Mr. Speaker. I rise in opposition to the pending motion. Headline, NBC News: The Hidden COVID-19 Health Crisis; Elderly People are Dying from Isolation. The lockdowns and visitor restrictions meant to protect nursing home residents from the coronavirus can also threaten their lives. This is a bill that we should pass. Thank you.

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

Representative **STETKIS**: Thank you, Mr. Speaker. I was hoping that this segment of our population was going to be mentioned and I wouldn't have to bring it up, but I personally know of several families in my district right now and a couple of families that I've actually done some work with in their homes to make their home a little bit more comfortable for their elderly loved ones that are in final stages of cancer and things like that. There are families out there right now that are not getting their loved ones into the care facilities that they really need because of the fear that they will never see them again. It is the reality; they're making these very difficult decisions and, in some cases, their family members are not getting the proper care that they probably ought to because, again, those loved ones will never be able to see them again because they won't be the one person on the list that's allowed to see them. I think we ought to think about those folks, too.

The **SPEAKER**: The Chair recognizes the Representative from Rockland, Representative Geiger.

Representative **GEIGER**: Thank you, Mr. Speaker and thank you Members of the House. I just felt a need to speak. I am a nurse. I wonder if we're not confusing the disease and the results of that disease with the actions that we have all taken to make things better.

I personally have been nothing but proud of the State of Maine. We have had some of the lowest death rates, some of the lowest cases, some of the lowest positivity. We now lead the nation in number of vaccinations. Sixty percent of the people who have died from COVID were in long-term care facilities. They received that virus inadvertently by family members visiting and sometimes by staff. It was the actions of those long-term care facilities, as painful as it was to shut down those facilities to visitors, when hospitals shut down facilities to visitors, that saved those elderly and saved hospital patients from having COVID run rampant through those facilities.

It has been a horrible year. That is not the fault of humans, that is a virus that swept through our nation and the world and still continues to do so. It is not over. I think we can be very proud of the job we did; I think we have to keep going and, of course, the moment it is safe and it seems like now most of our elderly in congregate living have been vaccinated, that we can bring their loved ones back to them as, of course, everyone with a heart would wish to do. 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. 126

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Dodge, Doore, Doudera, Dunphy, 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, Pebworth, Perry A, Perry J, Pierce, Reckitt, Rielly, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Cebra, Cuddy, Ducharme, Fecteau, Grignon, Javner, Martin, Paulhus, Stearns, Theriault.

Yes, 77; No, 64; Absent, 10; Excused, 0.

77 having voted in the affirmative and 64 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 **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Improve Family Day Care Providers by Increasing the Number of Children Allowed To Be Cared For without Obtaining Certification"

(H.P. 918) (L.D. 1252)

Signed:

Senator:

CLAXTON of Androscoggin

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-332)** on same Bill.

Signed:

Senators:

BALDACCI of Penobscot

MOORE of Washington

Representatives:

CONNOR of Lewiston

GRIFFIN of Levant

JAVNER of Chester

LEMELIN of Chelsea

READ.

Representative MEYER of Eliot moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative GRIFFIN of Levant **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 Alfred, Representative Sampson.

Representative **SAMPSON**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This bill, it basically is about the lack of child care services and the increasing problem that parents have throughout the State.

So, this bill is really help to relieve that challenge and it's simply codifying the Chief Executive's Executive Order Number 20, which provided that relief during the pandemic by allowing local family child care providers to add one more child to their home without having to get extra certification. So, I am asking you to support this or vote this motion down and support this so we can help parents who need child care. 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. 127

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, 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'Neil, Osher, 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 - Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Faulkingham, Foster, Gifford, Greenwood, Griffin, Haggan, 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, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Andrews, Cebra, Cuddy, Ducharme, Fecteau, Grignon, Javner, Martin, O'Connell, Paulhus, Stearns, Theriault.

Yes, 81; No, 58; Absent, 12; Excused, 0.

81 having voted in the affirmative and 58 voted in the negative, with 12 being absent, and accordingly 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 Encourage Family Care of Aging Adults"

(H.P. 1043) (L.D. 1427)

Signed:

Senators:

CLAXTON of Androscoggin

MOORE of Washington

Representatives:

MEYER of Eliot

CONNOR of Lewiston

CRAVEN of Lewiston

GRIFFIN of Levant

JAVNER of Chester

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 as Amended by Committee Amendment "A" (H-334)** on same Bill.

Signed:

Senator:

BALDACCI of Penobscot

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 to Pass as Amended by Committee Amendment "A" (H-335)** on Bill "An Act To Improve Home and Community-based Services for Adults with Intellectual Disabilities, Autism, Brain Injury and Other Related Conditions"

(H.P. 1104) (L.D. 1490)

Signed:

Senators:

CLAXTON of Androscoggin
BALDACCI of Penobscot
MOORE of Washington

Representatives:

MEYER of Eliot
CRAVEN of Lewiston
GRIFFIN of Levant
PERRY of Calais
STOVER of Boothbay
ZAGER of Portland

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

Signed:

Representatives:

CONNOR of Lewiston
JAVNER of Chester
LEMELIN of Chelsea

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-335)** 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-335)** 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 Recognize Occupational Licenses and Certifications from Other States To Attract New Residents and Businesses to Maine" (EMERGENCY)

(H.P. 448) (L.D. 612)

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
GEIGER of Rockland
HASENFUS of Readfield
PEBORTH of Blue Hill

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-318)** on same Bill.

Signed:

Representatives:

ANDREWS of Paris
COLLAMORE of Pittsfield
DUCHARME of Madison

READ.

On motion of ROBERTS of South Berwick, the Majority **Ought Not to Pass** Report was **ACCEPTED** 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 Eliminate or Forgive Fines and Penalties on Persons and Businesses Due to the COVID-19 Pandemic"

(H.P. 647) (L.D. 891)

Signed:

Senators:

CURRY of Waldo
LUCHINI of Hancock

Representatives:

ROBERTS of South Berwick
ANDREWS of Paris
BAILEY of Gorham
GEIGER of Rockland
HASENFUS of Readfield
PEBORTH of Blue Hill

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-299)** on same Bill.

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

AUSTIN of Gray
BERNARD of Caribou
COLLAMORE of Pittsfield
DUCHARME of Madison

READ.

Representative ROBERTS of South Berwick moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative BERNARD of Caribou **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 Penobscot, Representative Hutchins.

Representative **HUTCHINS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I put this bill in because I thought that, but for COVID, any penalties and fines that have been levied in the last year/year and a half, should be returned. I still think that; that's why I put the bill in, it's why I'm speaking for it today. And the other reason that I think it's legitimate to do away with the fines and penalties, but for COVID, would not have been presented, and I'm not talking about someone that,

you know, embezzled money from somebody during that period of time and got a fine, penalty, you know, jail sentence, whatever. I'm talking about someone who maybe didn't wear a mask when they were supposed to in a restaurant. I can't imagine anybody like that, but also the problem that the authority to do this is strictly up to one person and one person shouldn't have that power, I don't care who it is. Thank you.

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

Representative **STETKIS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Though it may not look like it, this bill could be this Legislature's most important economic development bill this session. With this bill, the Legislature can send a strong message to Maine's businesses, business community, as well as others who may be considering Maine as a place to set up shop. A message that the peoples' elected representatives believe in and stand for due process, fairness and equity.

After a year of allowing the Mills Administration to go it alone, with no input from the Legislature, we have an opportunity to right some of the unintended consequences suffered by some Mainers who work hard and risk a lot to provide valuable goods and services to our communities in an effort to provide for their families. Since March of 2019, many businesses have been reprimanded, penalized, fined and even shut down. I have to ask; why did these things happen? What was the process? How many of these instances were based on misunderstandings, unproven theories or even false information? Were all establishments treated uniformly? Were all given a fair opportunity to prepare and explain their individual circumstances as we might expect would happen? Well, based on the conversations that I've had with some of those threatened or mistreated, there was no uniformity or fairness.

We do know for sure that mistakes have been made and great damage has been done. We know this because in a particular case it became a national story in August of last year. It was covered by CNN, the Today Show, NBC, the LA Times, CBS, Newsweek, People Magazine, as well as most of the news outlets in Maine. The Chief Executive was quoted hundreds of times saying that 60 people are now associated with that one outbreak, its impacts were widespread. One person, one contact, can light a match and spark a fire that we may be unable to put out. Along with other misconceptions, including a quote that a woman who never even attended the wedding or the reception but simply interacted with someone else who did attend lost her life in this virus.

This family business had its operation shut down with an imminent health hazard citation, made nationally infamous, has had its reputation destroyed, has been abused by its own government, no doubt causing long-term and maybe irreparable financial harm to this family, not to mention the mental anguish from being told that their actions may have been the cause of the loss of seven lives.

About four months after the media frenzy of quoting and re quoting the Chief Executive and Dr. Shah, the November CDC report written by seven scientists at the Maine CDC, including the state epidemiologist, was released. In that report, the seven scientists stated that a definitive linkage of outbreaks at these facilities to the event was not possible in the absence of whole genome DNA sequencing. They went on in the report saying that the staff members in the other facilities in other parts of the State that were said to have spread COVID-19

possibly had exposures outside of those facilities. So, the report said no definitive proof and possibly other exposures.

Now, this is a highly-visible example of what has happened here in Maine, but what about the less-visible actions. Were some of the same faulty assumptions used to make decisions in charging and penalizing other Maine entrepreneurs? I've heard from some that do feel they had been treated unfairly but are scared to death to speak up against their own government after what they have seen happen to others. This in itself should cause all of us in the Legislature great concern that our own constituents fear their government.

Throughout our entire system of government, there are checks and balances to ensure that all are treated equally under the law. Everyone has the right to defend themselves before their accusers and if found to be at fault the penalty fits the crime by being reasonable and equitable. If it can't be proven that someone is guilty of an offense in this country, we are not supposed to be penalized. People who run businesses need to know they can get a fair shake in Maine. This bill is simple; if the Maine government cannot prove that the business caused harm, then their record needs to be cleared and any monetary penalties need to be returned.

Let's please put some stability back into our economy and let's support our local businesses that are providing jobs for our families so they can provide a good life and prosperity here in Maine. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Monticello, Representative Johansen.

Representative **JOHANSEN**: Thank you, Mr. Speaker. It may be a little late and my timing may be off, but I was wondering if we couldn't get an amendment attached to this that would include Members of this Body that have been sanctioned, also? Get our fines and punishments taken away?

The **SPEAKER**: The Chair recognizes the Representative from South Berwick, Representative Roberts.

Representative **ROBERTS**: Thank you, Mr. Speaker. Mr. Speaker, I rise today to clarify that the bill before us is a concept draft and language was not presented by the sponsor before the public hearing nor the subsequent work sessions.

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. 128

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Dodge, Doore, Doudera, Dunphy, 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, Peabworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tuttle, Warren, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Evangelos, Faulkingham, Foster, Gifford, Greenwood, Griffin, Haggan, 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, Stetkis, Thorne, Tuell, Underwood, Wadsworth, Warren, White.

ABSENT - Andrews, Cebra, Cuddy, Ducharme, Fecteau, Grignon, Javner, Martin, Paulhus, Stearns, Theriault, Tucker.

Yes, 79; No, 60; Absent, 12; Excused, 0.

79 having voted in the affirmative and 60 voted in the negative, with 12 being absent, and accordingly 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-296)** on Bill "An Act Regarding Emergency Guardianship"

(H.P. 264) (L.D. 366)

Signed:

Senator:

SANBORN of Cumberland

Representatives:

HARNETT of Gardiner
EVANGELOS of Friendship
HAGGAN of Hampden
LIBBY of Auburn
MORIARTY of Cumberland
RECKITT of South Portland
THORNE of Carmel

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

Signed:

Senators:

CARNEY of Cumberland
KEIM of Oxford

Representatives:

BABBIDGE of Kennebunk
POIRIER of Skowhegan
SHEEHAN of Biddeford

Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-296)** Report.

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-296)** 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-296)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act To Protect an Individual's Personal Data"

(H.P. 286) (L.D. 402)

Signed:

Senators:

CARNEY of Cumberland
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner
BABBIDGE of Kennebunk
EVANGELOS of Friendship
RECKITT of South Portland
SHEEHAN of Biddeford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-300)** on same Bill.

Signed:

Senator:

KEIM of Oxford

Representatives:

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

READ.

Representative HARNETT of Gardiner moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative HAGGAN of Hampden **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. 129

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Lookner, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, 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, Warren C, Warren S, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Andrews, Cebra, Cuddy, Ducharme, Fecteau, Grignon, Javner, Landry, Martin, Ordway, Paulhus, Stearns, Theriault.

Yes, 79; No, 59; Absent, 13; Excused, 0.

79 having voted in the affirmative and 59 voted in the negative, with 13 being absent, and accordingly 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-297)** on Resolve, To Create the Criminal Records Review Committee

(H.P. 408) (L.D. 563)

Signed:

Senators:

CARNEY of Cumberland
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner
BABBIDGE of Kennebunk
EVANGELOS of Friendship
MORIARTY of Cumberland
RECKITT of South Portland
SHEEHAN of Biddeford

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

Signed:

Senator:

KEIM of Oxford

Representatives:

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

Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-297)** Report.

READ.

Representative HARNETT of Gardiner 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**: 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. 130

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, 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, 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 - Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Faulkingham, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Andrews, Cebra, Crockett, Cuddy, Ducharme, Fecteau, Grignon, Javner, Martin, Ordway, Paulhus, Stearns, Theriault.

Yes, 81; No, 57; Absent, 13; Excused, 0.

81 having voted in the affirmative and 57 voted in the negative, with 13 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-297)** 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-297)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-316)** on Bill "An Act To Amend the Laws Governing Employer Recovery of Overcompensation Paid to an Employee"

(H.P. 446) (L.D. 610)

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:

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-316)** 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-316)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-333)** on Bill "An Act To Prevent the Spread of Infectious Disease in Schools" (EMERGENCY)

(H.P. 731) (L.D. 993)

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-333)** 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-333)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-291)** on Bill "An Act Directing the Maine State Housing Authority To Create a Commission To Develop a Comprehensive Rental Registry for Multifamily Housing"

(H.P. 1031) (L.D. 1397)

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-291)** 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-291)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-317)** on Bill "An Act To Allow People To Live in Tiny Homes as a Primary or Accessory Dwelling"

(H.P. 1134) (L.D. 1530)

Signed:

Senators:

HICKMAN of Kennebec
GUERIN of Penobscot
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
CUDDY of Winterport
DRINKWATER of Milford
GERE of Kennebunkport
MORRIS of Turner
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:

Representatives:

BRADSTREET of Vassalboro
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-317)** 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-317)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-290)** on Bill "An Act To Prevent Homelessness by Establishing the Rental Relief Fund within the Maine State Housing Authority"

(H.P. 1151) (L.D. 1546)

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
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 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. I believe this bill is superfluous. It requires Maine Housing to do things that it can already do, so, the bill is really not needed. Maine Housing is very, very busy right now with doing all the things that our committee has demanded of them, so, I think this bill is not necessary and hopefully we'll vote this bill down. 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. 131

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Faulkingham, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Libby, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, 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 - Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Johansen, Kinney, Kryzak, Landry, Lemelin, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Andrews, Cebra, Cuddy, Ducharme, Fecteau, Grignon, Javner, Martin, Paulhus, Stearns, Theriault.

Yes, 83; No, 57; Absent, 11; Excused, 0.

83 having voted in the affirmative and 57 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-290)** 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-290)** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Popular Election of the Secretary of State

(H.P. 786) (L.D. 1057)

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
TUELL of East Machias

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-295)** on same RESOLUTION.

Signed:

Representatives:

GREENWOOD of Wales
HEAD of Bethel

READ.

Representative MATLACK of St. George moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

On further motion of the same Representative, **TABLED** pending her motion to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-284)** on Bill "An Act To Clarify the Qualifications and Oversight of Sheriffs"

(H.P. 794) (L.D. 1065)

Signed:

Senators:

BALDACCI of Penobscot
CLAXTON of Androscoggin
ROSEN of Hancock

Representatives:

MATLACK of St. George
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 Not to Pass** on same Bill.

Signed:

Representatives:

BRYANT of Windham

GREENWOOD of Wales

READ.

Representative MATLACK of St. George moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative GREENWOOD of Wales **REQUESTED** a division on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

The Chair ordered a division on the motion to **ACCEPT** the **Majority Ought to Pass as Amended** Report.

The SPEAKER: The Chair recognizes the Representative from Wales, Representative Greenwood.

Representative **GREENWOOD**: Thank you, Mr. Speaker. When we were on our lunch break today, I decided to call one of my two sheriffs. I was able to reach one of the two sheriffs that I represent. And I had concerns from committee on this bill and when I saw it on the calendar, I decided to make it a priority today to make that next step of contact.

I believe the bill was well-intended. I do support the ongoing training portions. However, I have concerns. A sheriff is a constitutionally-elected officer, one of the oldest constitutional officers. And, you know, for years we've had standards that the sheriff have to meet one of two standards. It has to be and this is in Title 30-A, Section 371-B; the sheriff met the law enforcement training standards under Title 25, Section 2804-C or met the basic correctional training standards under Title 25, Section 2804-D.

In both of the counties that I represent, the sheriff oversees not only the patrol side but also the corrections side. And as every Member in this Body should know, the jail side is a much larger portion of your county budget. If we eliminate, which this bill does, eliminates correctional administrators from being eligible to run for the office of sheriff, then we've severely diminished our pool of candidates who would be eligible to run for sheriff.

Again, I believe the bill was well-intended, with trainings and so on, but I can't support the bill in its current form that eliminates that portion of people who would be eligible to run for sheriff. Thank you, Mr. Speaker.

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

Representative **DILLINGHAM**: Thank you, Mr. Speaker. May I pose a question to the Chair?

The SPEAKER: The Member may proceed.

Representative **DILLINGHAM**: Would the Speaker or the Clerk be willing to explain what a division is to Members since we have not had a division yet this session?

The SPEAKER: The Chair would advise Members that a division is similar to when we vote on emergency measures. There will be the opportunity to light up the board but it will not be a recorded roll call vote unless a roll call, of course, is at some point requested. The bell will not ring during the division. The only thing that will be finally recorded is the official tally, so, not your individual votes, but rather the total tally.

A vote of the House was taken. 85 voted in favor of the same and 50 against, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-284)** 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-284)** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Increase the Maximum Pension Deduction for State Income Tax"

(H.P. 92) (L.D. 136)

Signed:

Senators:

CHIPMAN of Cumberland
LIBBY of Androscoggin

Representatives:

TERRY of Gorham
COLLINGS of Portland
GRAMLICH of Old Orchard Beach
MATLACK of St. George
PERRY of Bangor

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-323)** on same Bill.

Signed:

Senator:

POULIOT of Kennebec

Representatives:

CARMICHAEL of Greenbush
HANLEY of Pittston

READ.

Representative TERRY of Gorham moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative DILLINGHAM of Oxford **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 Acton, Representative Kryzak.

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

This is a very simple bill. What it does is it gives people like state employees with their pension the same deduction that everybody on Social Security gets. It's \$30,000 a year. For some reason, the State chose not to have state employees on Social Security, so, they only get their state pension, and this would allow them not to have to pay income tax on the first \$30,000. It starts out in \$5,000 increments and it goes up until they reach the \$30,000.

Keeping in mind that anybody who serves in the Legislature for five years is entitled to a state pension. So, if you'd like to keep your \$100 a month in your pocket, then you should vote for this bill.

The **SPEAKER**: The Chair would remind members to direct comments through the Chair. The Chair recognizes the Representative from South Portland, Representative Reckitt.

Representative **RECKITT**: I've just now become curious about this bill and I have to question through the Speaker --

The **SPEAKER**: The Member may proceed.

Representative **RECKITT**: I myself pay taxes on my Social Security, so, I'm interested of why we should not tax, I mean, does somebody know why we should or shouldn't tax state pensions the same way we get taxed on the Social Security system? Was that considered in the discussion of this bill?

The **SPEAKER**: The Representative from South Portland, Representative Reckitt, has posed a question through the Chair to any Member who may wish to answer. The Chair recognizes the Representative from Auburn, Representative Bickford.

Representative **BICKFORD**: Thank you, Mr. Speaker. The State of Maine does not tax Social Security. That's the federal government taxes Social Security, just for clarification. 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. 132

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Dodge, Doore, Doudera, Dunphy, Evans, Fay, Geiger, Gere, Gramlich, 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, 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, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Andrews, Cebra, Cuddy, Ducharme, Fecteau, Grignon, Grohoski, Javner, Martin, Paulhus, Stearns, Theriault. Yes, 77; No, 62; Absent, 12; Excused, 0.

77 having voted in the affirmative and 62 voted in the negative, with 12 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 Not to Pass** on Bill "An Act To Increase the Homestead Exemption to \$50,000"

(H.P. 520) (L.D. 708)

Signed:

Senators:

CHIPMAN of Cumberland
LIBBY of Androscoggin
POULIOT of Kennebec

Representatives:

TERRY of Gorham
COLLINGS of Portland
GRAMLICH of Old Orchard Beach
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-322)** on same Bill.

Signed:

Representatives:

BICKFORD of Auburn
CARMICHAEL of Greenbush
KRYZAK of Acton

READ.

Representative TERRY of Gorham moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative FAULKINGHAM of Winter Harbor **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 Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: Thank you, Mr. Speaker. I've said this before and I'll probably get a pretty good reaction when I say it now, but taxation is theft.

Over the centuries, we have become accustomed to this theft and it has generally society has come to accept it as reasonable. In a democratic society, most people generally agree that giving up some wealth to contribute to the general welfare of the people is an acceptable sacrifice for the return. The return is generally infrastructure protection, with each of these coming in the forms of road, bridges, ports, etcetera, for infrastructure and armed forces, police, fire fighters, etcetera for protection.

Most people would agree that taxing 100% of someone's wealth would be cruel. Concurrently, most people would agree that taxing 1% would be acceptable. So where then, does the tax go from acceptable to cruel? I don't have the answer for that but when looking into this issue, I form a hierarchy of cruel taxes. At the top of that pyramid, I find the most egregious always seems to be the property tax. Is there a more cruel tax than one that allows the government to take possession of someone's home and make them homeless? I can't think of one. At some point, a person who wishes to opt out of society and its taxes should be afforded that right if they want to remain on their own property and provide for themselves.

At the very heart of this issue is the question; who owns the property, the owner or the government? How can that property be seized by the government for failure to pay rent to

a municipality that very well may not have a handle on its own spending?

So, for me, the case is very clear; increase the homestead exemption to \$50,000. This at least secures a person's ability to own and maintain a modest dwelling, to keep a roof over their head without fear of losing the property or the burden of being extorted by the government to keep it. 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. 133

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, 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, Pebworth, Perry A, Perry J, 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 - Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Faulkingham, Foster, Gifford, Gramlich, Greenwood, Griffin, Haggan, 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, Riseman, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Andrews, Cebra, Cuddy, Ducharme, Fecteau, Grignon, Javner, Martin, Paulhus, Stearns, Theriault.

Yes, 80; No, 60; Absent, 11; Excused, 0.

80 having voted in the affirmative and 60 voted in the negative, with 11 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**.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Exempt from Taxation Certain Out-of-state Pensions"

(H.P. 862) (L.D. 1184)

Signed:

Senators:

CHIPMAN of Cumberland
LIBBY of Androscoggin

Representatives:

TERRY of Gorham
COLLINGS of Portland
GRAMLICH of Old Orchard Beach
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-324)** on same Bill.

Signed:

Representatives:

CARMICHAEL of Greenbush
HANLEY of Pittston

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 to Pass as Amended by Committee Amendment "A" (H-321)** on Bill "An Act To Provide Equity in the State Income Tax Deduction for Certain Public Employees Retirement System Pensions"

(H.P. 898) (L.D. 1227)

Signed:

Senators:

CHIPMAN of Cumberland
LIBBY of Androscoggin

Representatives:

TERRY of Gorham
COLLINGS of Portland
GRAMLICH of Old Orchard Beach
MATLACK of St. George
PERRY of Bangor
SACHS of Freeport

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

CARMICHAEL of Greenbush
HANLEY of Pittston

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-321)** 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-321)** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-330)** on Bill "An Act To Authorize a Local Option Sales Tax on Lodging and Other Goods and Provide Funding for Tax Abatement and Rental Relief"

(H.P. 993) (L.D. 1342)

Signed:

Senators:

CHIPMAN of Cumberland
LIBBY of Androscoggin

Representatives:

TERRY of Gorham
COLLINGS of Portland
GRAMLICH of Old Orchard Beach
MATLACK of St. George
PERRY of Bangor
SACHS of Freeport

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

BICKFORD of Auburn
CARMICHAEL of Greenbush
HANLEY of Pittston
KRYZAK of Acton

READ.

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

On motion of Representative TALBOT ROSS of Portland, **TABLED** pending the motion of Representative TERRY of Gorham to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Exempt Gold and Silver Transactions from State Sales and Use Tax"

(H.P. 1005) (L.D. 1371)

Signed:

Senators:

CHIPMAN of Cumberland
LIBBY of Androscoggin

Representatives:

TERRY of Gorham
GRAMLICH of Old Orchard Beach
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-331)** on same Bill.

Signed:

Senator:

POULIOT of Kennebec

Representatives:

BICKFORD of Auburn
CARMICHAEL of Greenbush
HANLEY of Pittston
KRYZAK of Acton

COLLINGS of Portland
GRAMLICH of Old Orchard Beach
MATLACK of St. George
PERRY of Bangor
SACHS of Freeport

READ.

Representative TERRY of Gorham moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative DILLINGHAM of Oxford **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. 134

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, 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, Peabworth, Perry A, Perry J, 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 - Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Faulkingham, Foster, Gifford, Greenwood, Griffin, Haggan, 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, Riseman, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Andrews, Cebra, Cuddy, Ducharme, Fecteau, Grignon, Javner, Martin, Paulhus, Stearns, Theriault.

Yes, 81; No, 59; Absent, 11; Excused, 0.

81 having voted in the affirmative and 59 voted in the negative, with 11 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-320)** on Bill "An Act To Increase State Reimbursement to Municipalities for Revenue Lost Due to the Homestead Property Tax Exemption"

(H.P. 1064) (L.D. 1448)

Signed:

Senators:

CHIPMAN of Cumberland
LIBBY of Androscoggin
POULIOT of Kennebec

Representatives:

TERRY of Gorham
CARMICHAEL of Greenbush

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

Signed:

Representatives:

BICKFORD of Auburn
KRYZAK of Acton

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-320)** 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-320)** and sent for concurrence.

Six Members of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-301)** on Bill "An Act To Clarify Prepayment Requirements in Home Construction Contracts"

(H.P. 76) (L.D. 110)

Signed:

Senator:

CURRY of Waldo

Representatives:

ROBERTS of South Berwick
BAILEY of Gorham
GEIGER of Rockland
HASENFUS of Readfield
PEBORTH of Blue Hill

Four Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (H-302)** on same Bill.

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

AUSTIN of Gray
BERNARD of Caribou
COLLAMORE of Pittsfield

Two Members of the same Committee report in Report "C" **Ought Not to Pass** on same Bill.

Signed:

Representatives:

ANDREWS of Paris
DUCHARME of Madison

READ.

Representative ROBERTS of South Berwick moved that the House **ACCEPT** Report "A" **Ought to Pass as Amended**.

Representative STETKIS of Canaan **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought to Pass as Amended**.

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 Canaan, Representative Stetkis.

Representative **STETKIS**: Thank you, Mr. Speaker. You know, looking at this bill, the bill has been completely changed.

The SPEAKER: The Member will defer. Again, it's difficult to hear. If Members want to have conversations, please take them behind the glass. The Member may proceed.

Representative **STETKIS**: Thank you, Mr. Speaker. You know, looking at the bill, the bill has been completely changed to provide funding for a sunrise review. For those who don't know what a sunrise review is, it's a process to study the idea of expanding a new license. A couple decades back, the Legislature that was in place then realized that professional licensure in the State of Maine was out of control so they put this review process in place. I guess the key situation here is several Members in this Body on both sides of the aisle have submitted bills in an attempt to lessen the negative effects of licensure to our workforce in the State. I would hope that we can first get our workforce crisis under control before we take another step and possibly create more problems. Let's vote this measure down and put it in the wastebasket, where it deserves. Thank you.

Representative ROBERTS of South Berwick **REQUESTED** the Clerk **READ** the Committee Report.

The Clerk **READ** the Committee Report in its entirety.

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

ROLL CALL NO. 135

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, 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, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Roberts, Roeder, Sachs, Salisbury, Sharpe, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Faulkingham, Foster, Gifford, Greenwood, Griffin, Haggan, 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, Riseman, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Thorne, Tuell, Underwood, Wadsworth, Warren, White.

ABSENT - Andrews, Arata, Cebra, Cuddy, Ducharme, Fecteau, Grignon, Javner, Martin, Paulhus, Stearns, Theriault.

Yes, 80; No, 59; Absent, 12; Excused, 0.

80 having voted in the affirmative and 59 voted in the negative, with 12 being absent, and accordingly Report "A" **Ought to Pass as Amended was ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-301)** 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-301)** and sent for concurrence.

Eight Members of the Committee on **JUDICIARY** report in Report "A" **Ought to Pass** on Bill "An Act To Prohibit Marriage of Any Person under 18 Years of Age"

(H.P. 458) (L.D. 622)

Signed:

Senators:

CARNEY of Cumberland
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner
BABBIDGE of Kennebunk
HAGGAN of Hampden
MORIARTY of Cumberland
RECKITT of South Portland
SHEEHAN of Biddeford

Four Members of the same Committee report in Report "B" **Ought Not to Pass** on same Bill.

Signed:

Senator:

KEIM of Oxford

Representatives:

LIBBY of Auburn
POIRIER of Skowhegan
THORNE of Carmel

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "A" (H-303)** on same Bill.

Signed:

Representative:

EVANGELOS of Friendship

Representative NEWELL of the Passamaquoddy Tribe - of the House - supports Report "A" **Ought to Pass**.

READ.

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

Representative HAGGAN of Hampden **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought to Pass**.

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. I really didn't touch my button, I came close, but now I know how sensitive the button is.

I have to speak on this now that I'm here because I was married on my 18th birthday and this was one of two bills in

committee that literally brought me to tears when I got thinking about the overreach of government on the lives of young people in our State.

If the prerequisite for being able to be married is to know whether or not the marriage is going to last, we could probably move the age up to about 50.

We sat and listened to debates about whether or not we were going to allow 16-year-olds to vote in municipal elections. Years ago, and we just brought it up again yesterday that we were going to talk about whether or not young people could drink, whether or not they could buy cigarettes, whether or not they could buy marijuana, whether or not they had the sense and common decency to be able to tell right from wrong.

Two people in love that are of an age that people have been married for many, many years, going back to Romeo and Juliet, should be able to get married, should be able to make mistakes on their own, I believe. I have two grown daughters and four wonderful grandchildren as a result of my being able to get married under the age of 18. I also joined the Air Force under the age of 18. I made a successful career, 21 years in the Air Force, and I'm glad that I was able to make that decision as a young man and not have to wait when I might have to rethink it or change my mind. I was glad I was able to pull the trigger, as it were.

I hope that everybody who has children, who has nieces and nephews, people that care about each other, care about other people, maybe they have an intimate relationship and there's a pregnancy involved and they want to be able to get married and have a mother and a father that are not out of wedlock, that's their belief and I think it's their right. I urge to vote on this bill in opposition for the motion as it is Ought to Pass, I don't believe it ought to pass. Thank you.

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

Representative **DILLINGHAM**: Thank you, Mr. Speaker. May I pose a question through the Chair?

The SPEAKER: The Member may proceed.

Representative **DILLINGHAM**: Thank you. I was under the impression that in the State of Maine that you actually could not get married under the age of 18 without parental permission. Could somebody verify that for me, please?

The SPEAKER: The Representative from Oxford, Representative Dillingham, has posed a question through the Chair to any Member who may wish to answer. The Chair recognizes the Representative from Gardiner, Representative Harnett.

Representative **HARNETT**: Thank you, Mr. Speaker. In response to the question, currently in Maine people aged 16 and 17 can get married with consent of a parent or guardian.

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

Representative **KINNEY**: Thank you, Mr. Speaker. May I pose a question through the Chair?

The SPEAKER: The Member may proceed.

Representative **KINNEY**: Thank you, Mr. Speaker. I'm curious of how many people request to have the permission from their parents to get married annually under the age of 18.

The SPEAKER: The Representative from Knox, Representative Kinney, has posed a question through the Chair to any Member who may wish to answer. The Chair recognizes the Representative from Auburn, Representative Libby.

Representative **LIBBY**: That question was asked during the public hearing and work session on this bill and there was no data available from the State of Maine.

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, it boggles my mind that we as a Body think that a 16-year-old is mature enough to vote but a 16 and 17-year-old with parents' permission is not mature enough to marry. I'm confused, Mr. Speaker.

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

ROLL CALL NO. 136

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

NAY - Austin, Bernard, Bickford, Blier, Bradstreet, Carmichael, Collamore, Connor, Costain, Dillingham, Dolloff, Downes, Evangelos, Faulkingham, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Head, Hutchins, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyman, Millett, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pluecker, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Thorne, Tuttle, Underwood, Wadsworth, White B, White D.

ABSENT - Andrews, Arata, Cebra, Cuddy, Ducharme, Fecteau, Grignon, Javner, Martin, Paulhus, Stearns, Theriault.

Yes, 87; No, 52; Absent, 12; Excused, 0.

87 having voted in the affirmative and 52 voted in the negative, with 12 being absent, and accordingly Report "A" Ought to Pass 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.

Six Members of the Committee on **LABOR AND HOUSING** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-337)** on Bill "An Act To Require the State To Divest Itself of Assets Invested in the Fossil Fuel Industry"

(H.P. 65) (L.D. 99)

Signed:

Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
GERE of Kennebunkport
PEBWORTH of Blue Hill
ROEDER of Bangor

Five Members of the same Committee report in Report "B" **Ought Not to Pass** on same Bill.

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
CUDDY of Winterport
DRINKWATER of Milford
PRESCOTT of Waterboro

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-338)** on same Bill.

Signed:

Representative:

WARREN of Scarborough

READ.

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

Representative BRADSTREET of Vassalboro **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought to Pass as Amended**.

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. Even as amended, this bill allows a legislature to go where it shouldn't go, as it is starting to nibble around the edges of Maine's constitution, which states that the Maine Public Employees Retirement System must act solely for the benefit of its members and therefore must not be subjected to actions of the Legislature.

I'd like to remind this Body that not too long ago, MainePERS was headed towards insolvency until measures were taken that resulted in its being considered one of the best-run retirement systems in the nation. This bill would be a bad step towards undermining its independent authority as well as flirting with constitutional issues.

As I stated here yesterday, and I think we've seen here today, this Body sometimes fails to live up to its responsibility in asserting its proper place as a coequal branch of government and now we're considering doing something that is

clearly outside our authority. I urge a no vote on the pending motion. Thank you, Mr. Speaker.

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

Representative **O'NEIL**: Thank you, Mr. Speaker. I rise to request your support on LD 99, which would protect state coffers and state retirees from risky fossil fuel investments.

As background, this bill was developed alongside and supported by state retirees, young advocates, and Mainers across the State who organized together based on their shared interest in ensuring that our retirees get the best returns possible by moving away from risky fossil fuel investments.

From our working waterfronts to our forests, the features that make Maine special are vulnerable to a changing climate. According to the Climate Council report on the effects of climate change in Maine, we face significant impacts including unpredictable weather such as drought and severe storms, sea-level rise, a warming and increasingly acidified Gulf of Maine, decreased air quality, property damage and threats to biodiversity within our ecosystems. Climate disruption is already harming our economy, our environment, marginalized communities and the quality of life we all treasure. The actions we take now as a society will reverberate in our lifetimes and impact future generations.

As amended, LD 99 will move the state cash pool and Maine's Public Employee Retirement System away from risky fossil fuel investments in fossil fuel companies. Fossil fuels are linked directly to climate change and continuing to invest in them is bad for state coffers, our retirees and our environment. As of MainePERS' December 2020 disclosure, independent analysis shows that more than one billion is invested in fossil fuels through entities such as Chevron, Burst Energy, Berkshire Hathaway and Exxon.

Continuing to invest state funds and state retirement funds in companies that produce fossil fuels is counter to the ambitious environmental goals that Maine has set for itself. With bipartisan support, the Chief Executive and the Legislature set goals to reduce greenhouse gas emissions by 45% before 2030 and 85% relative to 1990 levels by 2050. We created the Climate Council which created a roadmap to prepare for and mitigate the causes of climate change. In doing so, our State is committing to minimizing our reliance on fossil fuels and we're mapping out a path to achieve that goal. As we establish ourselves as leaders in climate action, Maine shouldn't wait to divest itself, to divest our state funds and our retirement savings from fossil fuels. Any emissions that are enabled by our investments constitute a real portion of our carbon footprint, threatening our future. Our efforts to fight climate change must account for the impacts of our holdings. To date, more than 1,325 institutions representing more than 14.5 trillion in assets have committed to divest from fossil fuels, including governments, philanthropic organizations, universities, nonprofits, etcetera.

Most recently, New York State committed to divesting its \$225 billion retirement fund from fossil fuels. It's time for Maine to divest our retirement system in fossil fuels as well. Beyond ethical and environmental responsibilities, fossil fuel divestment fulfills the fiduciary responsibility to public employees who participate in their retirement system. For many years, fossil fuel holdings provided strong returns for retirement savings, but times have changed. The energy sector used to command 28% of the S&P 500. Today, fossil fuel investments are in the bottom 2.8%.

For most of the last decade, the oil and gas sector has been at the bottom of the stock market. Oil and gas have been firmly in last place for the last three years. The price of oil has been down and any increases are likely to be meager. The buying and selling of assets to consolidate the industry is producing anemic prices and the outlook is negative. Over the last decade, the energy sector has consistently underperformed in the stock market as a whole. In fact, independent analysis shows that if MainePERS had divested from fossil fuels in 2014, when similar legislation was first proposed, the retirement fund would have avoided hundreds of millions of dollars in losses and could've instead achieved roughly a billion in additional gains.

Fossil fuel investments are negatively impacting returns for retirement funds, which is viewable in quarterly investment statements and something that we provided during the public hearing for analysis. As an example, it just came out in the news that the retirement system invested around \$150 million in a private equity fund that backed an oil refinery in the Virgin Islands that's been closed by the EPA. That investment failed, sold it at around a 90% loss, and it caused the fund to lose 26%. And what that means is the loss amounted to around \$39 million for retirees right now because of the risky fossil fuel investment. This example is just one of many state retirement system investments in the fossil fuel industry and it demonstrates how private equity funds are taking significant risks investing in the fossil fuel industry.

As we transition to a reduced carbon economy, companies that are unable or unwilling to get out of risky fossil fuel production will lose value, making them a poor long-term investment. Maine, the United States and the rest of the world have all made strong commitments to reduce greenhouse gas emissions. This requires a significant reduction in fossil fuel consumption and almost certainly will have negative impacts on the stock performance of companies involved. Passing LD 99 will protect Maine's retirees and help ensure that they receive the best retirement possible.

Since December of 2020, I have been in conversation with MainePERS director Sandy Matheson and the committee adopted an amendment that addressed her language requests and, most importantly, gives the board the flexibility it needs to get the best possible return for retirees. The amended bill we're voting on is our mutually agreed upon language that reflects recommendations of the AG's office, addressing the concerns referenced by the Good Representative from Vassalboro, Treasurer Beck and others. Most notably, the amended language creates a fiduciary exception to allow MainePERS to prioritize its obligation to get the best possible financial return for members.

I was grateful that Treasurer Beck testified in support of the bill and suggested that we include the state cash pool in the amended version before you today and he's been a great informational resource for the work.

In closing, Maine is establishing itself as a leader in climate action, investments in fossil fuels poses substantial risk to our retirees and compromise our efforts to position Maine as a leader in the fight against climate change. Please support LD 99 both to ensure that Maine retirees receive the most benefit from the global clean energy transition and to leave future generations a habitable and healthy planet.

The SPEAKER: The Chair recognizes the Representative from Milford, Representative Drinkwater.

Representative **DRINKWATER**: Thank you, Mr. Speaker. This bill came before us and MainePERS came

before us and gave testimony and I'd like to read you a part of their testimony, Mr. Speaker. And I'm quoting here now; today I would like to share why MainePERS does not and cannot divest all this well-intended bill requests. Equally important why divestment does not further climate action and the positive side of what we can and are doing about the climate as a natural part of our investment process. MainePERS manages a \$16.7 billion single-purpose pension fund. Each month, nearly 60 million in employer and employee pensions contributions are placed into trust and nearly 90 million is paid out in pension checks to retirees. Employer contributions come not just from the State of Maine but also from schools, municipalities, counties and other local districts. Now, here's the important part, Mr. Speaker; once money is placed into the trust, the Maine Constitution, the highest law of the State of Maine, prohibits the investment of this money by MainePERS or the Legislature for any purpose other than to pay member pensions. Mr. Speaker; and end-quote. My simple reading of this is vote against the constitution, doesn't matter, they are going to do what they are elected, well, not elected, but appointed to do, and that is manage money for the retirees. And, Mr. Speaker, in closing, Big Oil is investing billions in renewable energy. Here's where and how. Exxon Mobile, 500 million joint venture for turning renewable crude from sunlight and carbon dioxide from algae; Royal Dutch Shell, 44% stake in solar developer; Exxon Mobile quietly allocating 1 billion per year to conduct basic research in low-carbon technologies.

So, from what I'm reading, Mr. Speaker, I agree with the purpose that we need to reduce our carbon footprint, no doubt about that, and we are doing that, maybe not fast enough for some, but we are steadily making process. And this article that I'm just quoting is that they do invest in clean energy and, again, MainePERS says we are the agents for this fund and it's not our job to tell them how to invest. Thank you, Mr. Speaker.

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

Representative **WARREN**: Thank you, Mr. Speaker and I rise in support of this motion. I do have a different amendment that I did vote on but you can disregard that, I rise in strong support of this and I also want to give deference to my colleagues that are on the Republican side on the Committee of Labor and Housing that I also sit on. I do agree that the ultimate purpose of the pension fund is to serve the interest of the members. Ultimately, my concern is, I do have strong commitments around environmentalism and addressing climate change but, I think that that's neither here nor there because I do agree that the ultimate purpose is the risk of the pension fund itself.

We're in a very unique time, I think, in the world and in our State. I think there's going to be a lot of development and I think that there is a lot of investment to move to renewable energy. But if I remember what the Representative from Saco had mentioned, that actually there have been losses already and we know this from at least 2014 to the pension fund itself and so, I think that because of the way that we judge what is risky or not, it's actually that the S&P 500 it's not the only metric we can use to determine risk so, the way that it's amended is a really great and compelling and thoughtful compromise and it just gives that flexibility to look at the reality and where we're going as a state, as a world, where these companies are headed, and if they go in a great direction and these investments in renewable energy pay off, that's great and there's no risk to the pension fund, but if those losses persist, if these big multi-national companies are not able to make these changes and they stay declining on the S&P 500,

it gives that flexibility for them to say let's move in a little bit of a different direction until these companies can be the best for the members themselves.

So, again, I agree that actually ultimately this is about the risk of the pension fund and I think it's a very good compromise that still leaves it in the hands, ultimately, of the judgement of those experts at MainePERS. So, I hope that you'll follow my light here and move in support.

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, you will never find a majority of this 151-member Legislature that are expert financial planners. It is not up to us to direct a pension fund how to do what their specialty is; their specialty is investing. That's what they do. We don't do that as a Body, it's not our role, Mr. Speaker. It's not our role, either, to pick winners and losers in the business community. Thank you.

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

Representative **LEMELIN**: Thank you, Mr. Speaker. I rise in opposition to this bill and I want to speak against this fossil fuel problem. A lot of people have this wrong. I have a lot of trees dying on my property, all my properties, so, I went to the world experts and I asked them why are my trees dying. And every one of them said the same thing; as we lower our carbon footprint, we are removing CO2. As we remove CO2, the trees are going to die. And that's exactly what's happening.

Two days ago, on the radio, the same thing happened. Three of the world-renowned experts said the exact same thing because they were speaking to President Biden's response to the carbon fuels and they said they had it wrong. We can prove unequivocally that the carbon dioxide is at a level of 400, and you can look this up, we need to be above a thousand. We're at 400. So, if we keep lowering the CO2 level, all the tree-huggers in this room, you're going to lose your trees. I know --

The **SPEAKER**: The Member will defer. The Member will defer. The Member is to address his comments through the Chair.

The Chair recognized the Representative from York, Representative Hymanson and inquiries as to why she rises.

Representative **HYMANSON**: Point of Order. The Good Representative is not discussing the bill in front of us.

On **POINT OF ORDER**, Representative HYMANSON of York asked the Chair if the remarks of Representative LEMELIN of Chelsea were germane to the pending question.

The **SPEAKER**: The Chair reminded Representative LEMELIN of Chelsea to stay as close as possible to the pending question. The Member may proceed.

Representative **LEMELIN**: Mr. Speaker, if I may read, it says, "An Act To Require the State To Divest Itself of Assets Invested in the Fossil Fuel Industry." I am speaking to the fossil fuel industry that they want to divest from. If that's not the subject, then I need to go back to school, and I got plenty of schooling. So, I am talking towards it.

We need to not pass this because we're killing our trees and it serves no purpose. Like everybody said, let the experts do their jobs. Thank you, Mr. Speaker.

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

Representative **SYLVESTER**: Thank you, Mr. Speaker. So, I just wanted to touch on a couple of things. As my good

friend the Representative from Milford quoted, that was in fact the testimony from MePERS on the original bill in the original public hearing. However, the amendment that we see before us today is the language that was developed in concert with MePERS in order to give MePERS the flexibility so that the experts that they hire to make these decisions can then make a decision and have the flexibility to do so. The reason that that works is because the amendment creates what's called a slow divestment. So, what that means is that given two choices, between two equally, you know, two equal investments that might raise the same amount of funds, one having fossil fuel, an industry that is primarily fossil fuel and one not, that they would choose the one that does not have fossil fuels.

Now, the director of MePERS felt that this not only met the fiduciary responsibility that the Constitution requires, but that it would also help them over the long term in order to make the best investments.

Lastly, well, not quite lastly, secondarily lastly, the Good Representative from Winterport, who had to leave for a family function, asked me to make this statement on his behalf. Having read the --

The **SPEAKER**: The Member will defer. The Member cannot make comments on behalf of another Member. The Member may proceed.

Representative **SYLVESTER**: Finally, and I apologize, Mr. Speaker, I forgot that. Finally, there are experts on all sides of every issue. I am reminded growing up as a child in the '70s that there were thousands of experts paid by the tobacco industry to say that tobacco was safe. And yet, luckily, investing in fossil fuels or not investing in fossil fuels adds no carbon and takes no carbon from the air. We thank you.

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

ROLL CALL NO. 137

YEA - Alley, Arford, Babbidge, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, 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, 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, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Faulkingham, Foster, Greenwood, Griffin, Haggan, 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, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Andrews, Bailey, Cebra, Cuddy, Ducharme, Fay, Fecteau, Gifford, Grignon, Javner, Martin, Paulhus, Stearns, Theriault.

Yes, 80; No, 57; Absent, 14; Excused, 0.

80 having voted in the affirmative and 57 voted in the negative, with 14 being absent, and accordingly Report "A" Ought to Pass as Amended was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-337)** 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-337)** and sent for concurrence.

Eight Members of the Committee on **LABOR AND HOUSING** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-305)** on Bill "An Act Relating to Fair Chance in Employment"

(H.P. 845) (L.D. 1167)

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

Four Members of the same Committee report in Report "B" **Ought Not to Pass** on same Bill.

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
MORRIS of Turner

One Member of the same Committee reports in Report "C" **Ought to Pass** on same Bill.

Signed:

Representative:

PRESCOTT of Waterboro

READ.

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

Representative BRADSTREET of Vassalboro **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought to Pass as Amended**.

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. The moment we've all been waiting for; the last divided report of the day.

I want to say that I'm thankful for the efforts of the sponsor in attempting to solve a dilemma that has been with us for a long time; getting previously incarcerated people back into the workforce. However, this proposal goes too far in restricting when an employer may ask the criminal background

information of a potential employee. Make no mistake, many employers are so anxious to find a qualified worker that they are more than willing to hear the rest of the story when a potential employee wishes to explain his or her brush with the law and what they hope and intend to do going forward.

However, we need to remember that the person still has a criminal record and it may as well come out early in the hiring process. Many businesses deal with a vulnerable clientele and it would not be responsible for them to put these people in positions where they may feel threatened or intimidated, knowing that a worker with a criminal record is around them. Indeed, it is often a deliberate process they take in ensuring that that doesn't happen.

This would also expose smaller companies with no human resources department with inadvertently committing a violation thereby exposing the business to substantial financial penalties and expensive litigation costs.

Hiring a person with a criminal background can be a big step for a small business. They should be allowed to inquire about a person's criminal background at any time during the hiring process as best fits them. They don't need to suffer significant penalties; they are cautious in the way they conduct this process.

I do find it a bit ironic that the results of this bill would be to place some people in a violation of the law in the pursuit of helping people who have already violated the law. Again, I applaud the sponsor in their efforts to deal with a social conundrum, but this is really not the right way. I hope you join me in voting no against the pending motion. Thank you, Mr. Speaker.

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

ROLL CALL NO. 138

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, O'Connell, O'Neil, Osher, 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 - Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Downes, Drinkwater, Faulkingham, Foster, Greenwood, Griffin, Hall, Hanley, Harrington, 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, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Andrews, Cebra, Cuddy, Dolloff, Ducharme, Fay, Fecteau, Gifford, Grignon, Haggan, Head, Javner, Martin, Moriarty, Paulhus, Perry, Stearns, Theriault.

Yes, 78; No, 55; Absent, 18; Excused, 0.

78 having voted in the affirmative and 55 voted in the negative, with 18 being absent, and accordingly Report "A" Ought to Pass as Amended was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-305)** 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-305)** and sent for concurrence.

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

SENATE PAPERS

Bill "An Act To Provide Allocations for the Distribution of State Fiscal Recovery Funds" (EMERGENCY)

(S.P. 577) (L.D. 1733)

Came from the Senate, **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** 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. 304) (L.D. 952) Bill "An Act To Limit Liability Regarding Donations of Menstrual Products" Committee on **JUDICIARY** reporting **Ought to Pass**

(S.P. 46) (L.D. 38) Bill "An Act To Clarify the Timing of an Appeal of a Finding Regarding Involuntary Mental Health Treatment at a Designated Nonstate Mental Health Institution" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-149)**

(S.P. 85) (L.D. 197) Resolve, To Ensure That Community Mental Health Service Providers Can Access Pandemic Stimulus Funds Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-131)**

(S.P. 97) (L.D. 229) Bill "An Act To Increase Investment Caps in the Maine Seed Capital Tax Credit Program" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-138)**

(S.P. 195) (L.D. 488) Resolve, To Expand Recovery Community Organizations throughout Maine Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-157)**

(S.P. 198) (L.D. 491) Bill "An Act To Create the Crime of Hate Crime False Public Alarm or Report" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-143)**

(S.P. 204) (L.D. 521) Bill "An Act To Modify the Rule-making Process for Establishing County and Municipal Jail Standards" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-135)**

(S.P. 229) (L.D. 576) Bill "An Act To Increase Property Tax Relief for Veterans" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-139)**

(S.P. 261) (L.D. 674) Bill "An Act To Support Early Intervention and Treatment of Psychotic Disorders"

(EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-132)**

(S.P. 268) (L.D. 681) Bill "An Act Clarifying the Removal Process of Individuals from Certain Facilities Not Governed By Title 14 of the Maine Revised Statutes" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-155)**

(S.P. 272) (L.D. 684) Resolve, To Amend MaineCare Reimbursement Provisions Governing Supplemental Payments to Nursing Facilities with High MaineCare Use (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-133)**

(S.P. 225) (L.D. 822) Bill "An Act To Affirm That Food Seeds Are a Necessity in Maine" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-151)**

(S.P. 363) (L.D. 1102) Bill "An Act To Update the Law Governing Preliminary Injunctions in Judicial Separation and Divorce Actions" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-154)**

(S.P. 389) (L.D. 1204) Bill "An Act To Address the Shortage of Direct Care Workers for Children with Disabilities in Maine" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-156)**

(S.P. 412) (L.D. 1262) Resolve, Directing the Department of Health and Human Services To Develop a Comprehensive Statewide Strategic Plan To Serve Maine People with Behavioral Health Needs throughout Their Lifespans Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-150)**

(S.P. 447) (L.D. 1360) Bill "An Act To Provide Services to Maine's Most Vulnerable Citizens by Eliminating the Waiting Lists for Certain MaineCare Services" (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-158)**

(S.P. 480) (L.D. 1493) Resolve, Directing the Department of Economic and Community Development To Create and Administer a Fund To Provide Seasonal and Tourism Industry Recovery Grants (EMERGENCY) Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-144)**

(S.P. 536) (L.D. 1649) Bill "An Act To Make the Shared Living Program Accessible for Persons with Intellectual Disabilities or Autism" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-152)**

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.

SENATE PAPERS

The following Joint Order: (S.P. 576)

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.

ENACTORS

Emergency Measure

An Act To Allow a Dentist To Administer Botulinum Toxin and Dermal Fillers

(S.P. 34) (L.D. 26)

(C. "A" S-124)

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. 103 voted in favor of the same and 2 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2022

(S.P. 54) (L.D. 123)

(C. "A" S-129)

An Act To Improve the Law Regarding Abandoned Roads

(S.P. 234) (L.D. 596)

An Act To Amend Credit and Debit Card Surcharges Imposed by Governmental Entities

(S.P. 87) (L.D. 800)

(C. "A" S-110)

An Act To Ensure Decommissioning of Solar Energy Developments

(S.P. 113) (L.D. 802)

(C. "A" S-111)

An Act To Extend the Protections Provided to State Employees upon the Expiration of Labor Contracts to Other Public Sector Employees

(S.P. 235) (L.D. 824)

(C. "A" S-121)

An Act To Require Diversity, Equity and Inclusion Training or Implicit Bias Training for School Resource Officers

(S.P. 330) (L.D. 1040)

(C. "A" S-115)

An Act To Include Certain Mental Health Workers under the 1998 Special Plan for Retirement

(S.P. 331) (L.D. 1041)

(C. "A" S-114)

An Act To Support the Operations of Youth Shelters in Maine

(S.P. 344) (L.D. 1076)

(C. "A" S-112)

An Act To Terminate the Augusta Downtown Parking District

(S.P. 494) (L.D. 1520)

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 Department of Agriculture, Conservation and Forestry To Seek Input from Stakeholders on the State's Hemp Program

(S.P. 41) (L.D. 33)

(C. "A" S-130)

Resolve, To Advance Career and Technical Education Opportunities in Maine

(S.P. 140) (L.D. 313)

(C. "A" S-118)

Resolve, To Direct the Department of Inland Fisheries and Wildlife To Examine Sunday Hunting

(S.P. 325) (L.D. 1033)

(C. "A" S-123)

Resolve, To Modify the Deed for a Parcel of Property in the Town of Carrabassett Valley

(S.P. 546) (L.D. 1690)

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

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

UNFINISHED BUSINESS

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

HOUSE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (H-244)** - Minority (4) **Ought to Pass as Amended by Committee Amendment "B" (H-245)** - Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Require Certain Schools To Provide Menstrual Products"

(H.P. 328) (L.D. 452)

TABLED - June 2, 2021 (Till Later Today) by Representative BRENNAN of Portland.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

Subsequently, the Majority **OUGHT TO PASS AS AMENDED** Report was **ACCEPTED**.

The Bill was **READ ONCE**. Committee Amendment "A" (H-244) was **READ**.

Representative BRENNAN of Portland **PRESENTED** House Amendment "A" (H-344) to Committee Amendment "A" (H-244), which was **READ** by the Clerk.

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

Representative BRENNAN: Thank you, Mr. Speaker. Mr. Speaker, this amendment simply removes the mandate preamble from the bill and replaces it with a fiscal note.

Subsequently, House Amendment "A" (H-344) to Committee Amendment "A" (H-244) was **ADOPTED**.

Committee Amendment "A" (H-244) as Amended by House Amendment "A" (H-344) 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" (H-244) as Amended by House Amendment "A" (H-344) thereto and sent for concurrence.

The Chair laid before the House the following item which was **TABLED** and today assigned:

TABLED AND TODAY ASSIGNED

HOUSE DIVIDED REPORT - Majority (9) **Ought Not to Pass** - Minority (4) **Ought to Pass as Amended by Committee Amendment "A" (H-280)** - Committee on **LABOR AND HOUSING** on Resolve, Directing the Workers' Compensation Board To Study the Impact of Workers' Compensation Laws on Certain Public Sector Employees

(H.P. 762) (L.D. 1024)

TABLED - June 2, 2021 by Representative TUTTLE of Sanford.

PENDING - Motion of Representative SYLVESTER of Portland to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

Representative TUTTLE 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**: The Chair recognizes the Representative from Sanford, Representative Tuttle.

Representative **TUTTLE**: Mr. Speaker, I know the hour is late and I'll try to be quick on this issue, but I do feel quite strongly about it. I find myself in a difficult situation, having been the former Chair of the Labor Committee for eight years and having served on that committee for 20 years and respecting the great job that the good gentleman from Portland does, but I do feel compelled to speak on this issue.

This resolve submitted in collaboration with my city manager in Sanford and former State Representative Ann-Marie Mastraccio, who's the present mayor of Sanford, in hopes that we can develop better strategies and more effective policies to address Worker's Compensation costs at the municipal level. I'm also a city councilor and have done that for seven years and I can tell you that having been a former fireman and EMT for 40 years, I would never do anything to hurt the firemen. But I feel that we need to direct the Worker's Compensation Board to study the fiscal impact of certain Worker's Compensation laws that pertaining to rebuttable presumption.

The committee heard this bill and my understanding was it was something that was supposed to have been addressed last year but, unfortunately because of the situation of the Legislature, that wasn't done. The Worker's Compensation Board would be providing tremendous service to local governments through Maine and studying this proposal to help develop strategies for relieving budget pressures while still ensuring that municipal employees receive the proper due process to qualify when they are injured. It's something that I feel quite strongly about. I'm only asking for a study to come back with these recommendations. If we don't like what we see, we don't have to pass it, and I think that by doing this, it will create a better process not only for the workers but for our cities from a fiscal perspective. So, I would encourage your support, Mr. Speaker.

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

Representative **SYLVESTER**: Thank you, Mr. Speaker. Let me just begin by saying I have nothing but respect for the Good Representative from Sanford and the history that he brings to this Body and, you know, and serving as the

predecessor, laying down many of the laws that we have today through the committee that I'm honored to chair today.

Having served in the 128th, when the presumptions that we're talking about today were put into effect, part of that bill was to have a report which would look exactly at what this bill is asking us to look at. That report is ongoing and we expect to have it before the second emergency session. That bill also allows us to report out a bill based on those recommendations. I have been getting reports as to how the process of that report coming together is happening and so, the reports that they're looking for is in process right now.

The Good Representative's bill moves that report from the Labor and Housing Committee, who has jurisdiction over Worker's Compensation, and sends it to the State and Local committee. And so, those reasons, the fact that this is already happening, the fact that the committee of jurisdiction is the one that should receive the report, and the fact that we already have the ability to move out a bill, why we moved this bill **Ought Not to Pass**.

I would respectfully echo the sentiments that we need to look at these presumptions in order to make sure that they are protecting both workers and employers, as that is the dual responsibility of the Worker's Compensation Board, however, many of the proponents of doing away with the presumptions are municipalities who self-fund and therefore, take a gamble about whether or not there are going to be claims made against their Worker's Compensation self-funding. And so we will find all of those pieces out shortly and so, I ask that you stay with the Majority Report and **Ought Not to Pass** and I thank the Good Representative for his comments.

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

Representative **BRADSTREET**: Thank you, Mr. Speaker. During the committee hearing on this particular bill, we heard a lot of sobering facts coming from the City of Sanford. There were three rebuttal claims that they were contesting. The legal fees were \$185,000 plus, the medical costs were over \$1.5 million and the current year's Worker's Comp claims increased over \$385,000. If it hasn't come to a town or city near you, it will be coming. We need to study this. I commend the Good Representative from Sanford for bringing this forward and I urge you to vote against the pending motion. 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. 139

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

NAY - Arata, Austin, Bernard, Blier, Bradstreet, Brennan, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Downes, Drinkwater, Faulkingham, Fay, Foster, Greenwood, Griffin, Hall, Hanley, Harrington, Hutchins, Johansen, Kinney, Kryzak, Landry, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stetkis, Thorne, Tuell, Tuttle, Underwood, Wadsworth.

ABSENT - Andrews, Cebra, Cuddy, Dolloff, Ducharme, Evangelos, Fecteau, Gifford, Grignon, Haggan, Head, Javner, Lemelin, Martin, O'Connor, Paulhus, Reckitt, Riseman, Stearns, Theriault, White.

Yes, 75; No, 55; Absent, 21; Excused, 0.

75 having voted in the affirmative and 55 voted in the negative, with 21 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**.

COMMUNICATIONS

The Following Communication: (H.C. 166)

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

June 3, 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:"

Education and Cultural Affairs

L.D. 187 An Act To Require Education about African-American History and the History of Genocide

L.D. 1444 An Act To Prohibit Cyberbullying of School Employees by Students

Energy, Utilities and Technology

L.D. 9 An Act To Promote Renewable Energy by Authorizing a Power-to-fuel Pilot Program

L.D. 83 An Act To Clarify the Meaning of "Unserved Area" within the State's Broadband Service Laws

L.D. 285 An Act To Protect Utility Customers from Investor Risk for Costs Incurred Due to a Disaster

L.D. 720 An Act To Provide Funds to Aroostook County for Broadband Development

L.D. 848 An Act To Increase High-speed Internet In Rural Maine

L.D. 918 An Act To Transition from a Fossil Fuel-based to an Electrical Energy Economy

L.D. 933 An Act To Facilitate the Expansion of Broadband to Unserved Areas of the State (EMERGENCY)

L.D. 989 An Act Regarding the Procurement of Renewable Natural Gas by Gas Utilities

L.D. 1288 An Act Regarding Interconnectivity of Small Electric Distributed Generation Resources

L.D. 1707 An Act To Increase Transparency on Cable and Internet and Other Communications Services Price Increases

Health and Human Services

L.D. 789 An Act To Expand Administration of Lifesaving Opioid Medication

L.D. 1695 An Act To Improve Housing Security by Improving Access to General Assistance

Labor and Housing

L.D. 117 An Act To Preserve the Health Care of University of Maine System Retirees

L.D. 447 An Act To Require Equivalent Paid Parental Leave for All Parents Employed by Companies Offering Paid Parental Leave

L.D. 787 An Act To Comprehensively Address Homelessness and Affordable Housing in Maine

L.D. 959 An Act To Protect Small Businesses by Ensuring That a Prevailing Wage Is Paid on Public Works Construction Projects

L.D. 1002 An Act Regarding the Availability of Health Insurance Coverage for Dependents of Certain State Employees

L.D. 1436 An Act To Protect Certain Essential Workers from Infectious Disease

L.D. 1571 An Act To Strengthen the Unemployment Insurance System To Better Serve Maine Workers

L.D. 1580 An Act To Provide Protections for Mobile Home Park Residents

Sincerely,
S/Robert B. Hunt
Clerk of House

READ and with accompanying papers **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 167)

**STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

June 3, 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 Health Coverage, Insurance and Financial Services has approved the request by the sponsor, Senator Sanborn of Cumberland, to report the following "Leave to Withdraw: "

L.D. 122 An Act To Protect Home Ownership

Pursuant to Joint Rule 310, the Committee on Health Coverage, Insurance and Financial Services has approved the request by the sponsor, Representative Morris of Turner, to report the following "Leave to Withdraw: "

L.D. 752 An Act To Increase Patients' Access to Quality Doctors

Pursuant to Joint Rule 310, the Committee on Health Coverage, Insurance and Financial Services has approved the request by the sponsor, Senator Sanborn of Cumberland, to report the following "Leave to Withdraw"

L.D. 1561 An Act To Amend the Maine Fair Debt Collection Practices Act

Sincerely,

S/Robert B. Hunt

Clerk of House

READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: (S.P. 575)

**MAINE SENATE
130TH LEGISLATURE
OFFICE OF THE SECRETARY**

May 25, 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 May 25, 2021, 2 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 May 25, 2021, as follows:

Health and Human Services

Resolve, To Assess the Feasibility of the Production of Insulin in Maine (S.P. 574) (L.D. 1729) (Sponsored by Senator STEWART of Aroostook) (Cosponsored by Representative JAVNER of Chester and Senator: MOORE of Washington, Representatives: GRIFFIN of Levant, CONNOR of Lewiston) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.)

Judiciary

Bill "An Act To Provide Assistance to Law Enforcement Officers To Allow Them To Protect the Residents of the State" (S.P. 573) (L.D. 1728) (Sponsored by Senator TIMBERLAKE of Androscoggin) (Cosponsored by Representative MORRIS of

Turner and Senators: DAVIS of Piscataquis, KEIM of Oxford, DIAMOND of Cumberland, DILL of Penobscot, Representative: LYMAN of Livermore Falls) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.)

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.C. 612)

**MAINE SENATE
130TH LEGISLATURE**

June 2, 2021

Honorable Ryan M. Fecteau

Speaker of the House

2 State House Station

Augusta, ME 04333-0002

Dear Speaker Fecteau:

In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 130th Maine Legislature, please be advised that the Senate today confirmed the following nomination:

Upon the recommendation of the Committee on Agriculture, Conservation and Forestry, Elizabeth Fitzgerald of Machiasport for reappointment to the Maine Land Use Planning Commission.

Best Regards,

S/Darek M. Grant

Secretary of the Senate

READ and **ORDERED PLACED ON FILE.**

SPECIAL SENTIMENT CALENDAR

In accordance with House Rule 519 and Joint Rule 213, the following items:

Recognizing:

Deborah Woodbury, of Morrill, on her retirement after 39 years of teaching for the Unity school district. We extend our congratulations and best wishes;

(HLS 278)

Presented by Representative KINNEY of Knox.

Cosponsored by Senator CURRY of Waldo, Representative ZEIGLER of Montville.

On **OBJECTION** of Representative KINNEY of Knox, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **KINNEY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have to rise today to congratulate Deborah Woodbury. My first term, I had the opportunity to speak when the mother of the Representative from Lewiston retired from her teaching at Sherwood Heights School in Auburn after I think it was 39 years herself. I'm getting a nod. Sorry for looking away.

So, I have to rise today because both of my children had the opportunity to have Mrs. Woodbury as a teacher and she was an amazing teacher for both of them for various reasons. My son absolutely adored her, my daughter not so much but, you know, it was just because she was just such a good

teacher and so good at connecting with the students and making sure that they thought critically for themselves and for that I'm very grateful because I have two very critically-thinking children today and I just had to rise to present that to the Body. Thank you.

Subsequently, this Expression of Legislative Sentiment was **PASSED** and sent for concurrence.

In Memory of:

Robert V. Dunn, of Falmouth. Mr. Dunn was a veteran of the United States Army who served in Korea and Japan. After his service, he became a lawyer working in New York, spending three years with the firm of Donovan, Leisure, Newton and Irvine and then seventeen years with Sperry and Hutchinson as general counsel. Later, he served as general counsel with General Nutrition Corporation in Pittsburgh, Pennsylvania, leading the effort to take the corporation public. An athlete and avid tennis player, he and a lifelong friend, George Liddy, supported the launch in 1970 of the Virginia Slims Open, the first women's professional tennis tournament, which led to the Women's Tennis Association. Mr. Dunn will be long remembered and sadly missed by his family and friends;

(HLS 284)

Presented by Representative WOOD of Portland.

Cosponsored by Senator BREEN of Cumberland, Representative PIERCE of Falmouth, Representative CROCKETT of Portland.

On **OBJECTION** of Representative WOOD of Portland, was **REMOVED** from the Special Sentiment Calendar.

This Expression of Legislative Sentiment was **READ** and **ADOPTED** and sent for concurrence.

In Memory of:

Peter Kevin Madigan, of Waterville. Mr. Madigan always enjoyed cooking for people: he was a longtime volunteer with the Waterville Food Bank, including the Waterville Evening Sandwich Program, and he volunteered for the Sacred Heart Soup Kitchen. He also participated in the NAMI Walk annually and supported Kennebec Behavioral Health. In 2013, he served on the Waterville City Charter Commission. He was a proud retired member of the Communications Workers of America Union. Mr. Madigan will be long remembered and sadly missed by his wife of 57 years, Alice, his family and friends and all those whose lives he touched;

(HLS 289)

Presented by Representative WHITE of Waterville.

Cosponsored by Senator CYRWAY of Kennebec, Representative MADIGAN of Waterville, Speaker FECTEAU of Biddeford, Representative DUNPHY of Old Town, Representative TALBOT ROSS of Portland, Representative MEYER of Eliot.

On **OBJECTION** of Representative MADIGAN of Waterville, was **REMOVED** from the Special Sentiment Calendar.

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

Representative **MADIGAN**: Thank you, Mr. Speaker. Ladies and Gentlemen of the House and Mr. Speaker, thank you. I would also like to thank the people of Waterville for asking this sentiment to be put in the record because, surprisingly, I had nothing to do with it.

Peter Kevin Madigan is my father, my dad. I have been surprised and touched by all the people he worked with and helped that have reached out to me since he died last month.

My dad loved to feed people. He did many things in his life, but what he was truly passionate about was feeding people. He was a long-time volunteer at the Waterville Food Bank and the Sacred Heart Soup Kitchen. He also regularly gathered the tomatoes and other vegetables that were close to going by from the food bank and made amazing spaghetti sauce and tomato soup. If you live in Waterville, you may have even gotten jars of my dad's homemade sauce. I've delivered many of these jars. He made soup and sauce for the Evening Sandwich Program in Waterville. In his work, he helped people with more than just food; he was supportive and encouraged people to get help that they needed. I know this because sometimes people he helped would show up in my office because my dad had encouraged them to seek out help. I also know this because a number of those people have reached out to me or my family to share what he did for them and I thank them for that.

In the past year, as his heart grew weaker, he was unable to volunteer or cook for the masses like he used to do, but he did make sure he bought a lot of extra canned goods and nonperishables so he could have a bag of groceries on hand ready for anyone who needed it.

Last month, during the last week of his life, my dad said to me; Colleen, very soon there's not going to be enough heart for me to go on. Dad, you were wrong. You had more than enough heart. You had so much heart and love to share and I know that because people keep telling me and I hear it from them.

Finally, Tuesday, just two days ago, was my parents' 58th wedding anniversary. My mom is home watching this right now; hi, mom, after having a rough day on Tuesday and I have this to say to her; love you, mom. Everyone loved your Petey, and he is so missed, and I thank you all.

Subsequently, this Expression of Legislative Sentiment was **ADOPTED** and sent for concurrence.

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

Representative **SALISBURY**: Thank you, Mr. Speaker. Mr. Speaker and Men and Women of the House, because of our late adjournment last evening, I didn't feel it was the right time to address a sentiment, so, I'd like to read it to you today, if you'll let me.

The SPEAKER: The Member may proceed on the record.

Representative **SALISBURY**: Richard Petrie of Tampa, Florida and formerly of Portland passed away. Mr. Petrie joined the United States Air Force in 1955 and trained as a medical corpsman. He served in Vietnam in 1967 and 1968 as a crew on a C-141 Starlifter evacuating wounded and injured troops. He remained in the medical field for half of his military career and then changed his occupation to Special Agent with the Air Force Office of Special Investigations.

He retired from the military in 1976, having served for almost 21 years. In 1979, he started at the Maine Department of Human Services working as an investigator and later worked as a detective in the Medicaid Fraud Control Unit within the Criminal Division of the Office of the Maine Attorney General. He retired from state service in 1997.

Mr. Petrie will be long remembered and sadly missed by his wife of 37 years, Rosalynne, his family and friends and all

those lives he touched. When we came to the State Capitol back in December of 2020, I drove into the parking lot and I had a wave of nostalgia. Everything seemed so familiar and I couldn't figure out why. I had been here several times with my kids on school trips and I'm sure I came on a school trip myself, but this was something different, a different kind of nostalgia. Then I remembered. You see, Richard Petrie was my father and when I was 11, I used to come to work with him. I always thought he was some kind of superspy because when we used to go into the basement entrance and before we could enter, security had to let us in.

I spent many a Saturday in his office with him and remember that time fondly. Unfortunately, my father passed away a little over a year ago and didn't get to see me return to his former stomping grounds, which I know would've pleased him. On June 23rd Airman Richard Petrie will be interred at Arlington National Cemetery and I will be there to see him to his final resting place. Thank you.

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

On motion of Representative MADIGAN of Waterville, the House adjourned at 6:50 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. 576) and in honor and lasting tribute to Robert V. Dunn, of Falmouth and Peter Kevin Madigan, of Waterville.