

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
7th Legislative Day
Wednesday, June 9, 2021

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

Prayer by Elizabeth Keene, Vice President, Mission Integration, St. Mary's Hospital, Lewiston.

National Anthem by Sammie Angel, Dixfield.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act To Create a Separate Department of Child and Family Services"

(S.P. 414) (L.D. 1263)

Majority (12) **OUGHT NOT TO PASS** Report of the Committee on **HEALTH AND HUMAN SERVICES READ** and **ACCEPTED** in the House on June 7, 2021.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Minority (1) **OUGHT TO PASS AS AMENDED** Report of the Committee on **HEALTH AND HUMAN SERVICES** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-146)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Under suspension of the rules, members were allowed to remove their jackets.

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

ENACTORS

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Prohibit the Consideration of a People's Veto at a Presidential Primary

(H.P. 856) (L.D. 1178)

(C. "A" H-378)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being a Constitutional Amendment, a two-thirds vote of the House being necessary, a total was taken. 68 voted in favor of the same and 71 against, and accordingly the Resolution **FAILED FINAL PASSAGE** and was sent to the Senate.

Emergency Measure

An Act To Ensure That Victims of Assault, Battery and False Imprisonment, Including Victims of Domestic Violence, Have Parity under Tort Law

(H.P. 502) (L.D. 690)

(C. "A" H-395)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 123 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Include Career and Technical Education Teachers in the Minimum \$40,000 Salary Initiative

(H.P. 866) (L.D. 1188)

(C. "A" H-354)

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. 110 voted in favor of the same and 20 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Regarding 2021 Municipal Elections and Town Meetings

(H.P. 934) (L.D. 1274)

(C. "A" H-386)

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 10 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Amend the Laws Banning Polystyrene Foam Regarding Packaging for Meat, Poultry, Fish, Seafood and Eggs

(H.P. 1214) (L.D. 1631)

(C. "A" H-416)

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. 110 voted in favor of the same and 7 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, Directing the Department of Health and Human Services To Review the Progressive Treatment Program and Processes by Which a Person May Be Involuntarily Admitted to a Psychiatric Hospital or Receive Court-ordered Community Treatment

(H.P. 637) (L.D. 869)

(C. "A" H-390)

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. 116 voted in favor of the same and 1 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Mandate

An Act To Increase the Number of Franklin County Commissioners

(H.P. 457) (L.D. 621)

(C. "A" H-388)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 21 of Article IX of the Constitution, a two-thirds vote of

all the members elected to the House being necessary, a total was taken. 119 voted in favor of the same and 7 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Resolve Conflicts in and Make Other Changes to the Laws Governing the Efficiency Maine Trust
(H.P. 269) (L.D. 385)
(C. "A" H-371)

An Act To Protect the Health of Students and Educators by Requiring School Emergency Management Plans To Address Health and Safety
(H.P. 309) (L.D. 429)
(C. "A" H-366)

An Act To Provide a Sales and Use Tax Exemption for Certain Educational Collaboratives
(H.P. 315) (L.D. 435)
(C. "A" H-408)

An Act To Increase the Number of Intensive Case Managers
(H.P. 375) (L.D. 512)
(C. "A" H-389)

An Act To Accelerate Weatherization Efforts in the State
(H.P. 396) (L.D. 551)
(C. "A" H-376)

An Act To Increase Accountability for Wage Violations
(H.P. 452) (L.D. 616)
(C. "A" H-398)

An Act Regarding Motor Vehicle Registration Violations
(H.P. 475) (L.D. 644)
(C. "A" H-353)

An Act To Stabilize Student Count in Maine's School Funding Formula
(H.P. 478) (L.D. 651)
(C. "A" H-357)

An Act To Ensure Public Ways Are Compliant with the Federal Americans with Disabilities Act of 1990
(H.P. 496) (L.D. 669)
(C. "A" H-383)

An Act To Provide for Judicial Review in Compliance with the Federal Family First Prevention Services Act
(H.P. 570) (L.D. 765)
(C. "A" H-394)

An Act To Amend the Length of Time and Circumstances for Which a Sheriff May Furlough Individuals Incarcerated in a County Jail
(H.P. 581) (L.D. 776)

An Act To Provide Equity in Access to Applications for the National School Lunch Program and School Breakfast Program
(H.P. 707) (L.D. 961)
(C. "A" H-360)

An Act To Expand Access to Certified Substance Use Disorder Recovery Residence Services
(H.P. 710) (L.D. 964)
(C. "A" H-393)

An Act To Establish the Rare Disease Advisory Council
(H.P. 718) (L.D. 972)
(C. "A" H-391)

An Act To Protect Minor Political Parties That Seek To Retain Qualified Party Status
(H.P. 790) (L.D. 1061)
(C. "A" H-384)

An Act Concerning Marina-based Restaurants in the Shoreland Zone
(H.P. 839) (L.D. 1161)
(C. "A" H-382)

An Act Authorizing an Increase to the Maximum Annual Fund Balance for Public School Districts
(H.P. 876) (L.D. 1198)
(C. "A" H-361)

An Act Shielding Fire Departments That Install Smoke and Carbon Monoxide Detectors from Liability
(H.P. 920) (L.D. 1254)
(C. "A" H-407)

An Act To Clarify All-terrain Vehicle Registration Requirements and Establish Regular Maintenance of Designated State-approved All-terrain Vehicle Trails
(H.P. 1055) (L.D. 1439)
(C. "A" H-326)

An Act To Clarify Safety Issues in Schools with Respect to Health-related States of Emergency
(H.P. 1112) (L.D. 1502)
(C. "A" H-404)

An Act To Restrict the Use of Perfluoroalkyl and Polyfluoroalkyl Substances in Firefighting Foam
(H.P. 1115) (L.D. 1505)
(C. "A" H-418)

An Act To Fund Broadband Internet Infrastructure for Marginalized Groups in the State
(H.P. 1160) (L.D. 1555)
(C. "A" H-377)

An Act To Protect Drinking Water for Maine Residents
(H.P. 1167) (L.D. 1570)
(C. "A" H-392)

An Act To Ensure Full Payment of the State's Salary Supplement Obligation to Teachers with National Board Certification
(H.P. 1271) (L.D. 1716)
(C. "A" H-401)

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

Resolves

Resolve, Directing the Department of Education To Review and Assess State-mandated Instruction and Training for Students
(H.P. 381) (L.D. 518)
(C. "A" H-358)

Resolve, Directing the Department of Education To Develop Training for School Counselors and Review Limitations on Autism Spectrum Disorder Course Work for Special Education Certification
(H.P. 470) (L.D. 639)
(C. "A" H-365)

Resolve, Directing the Maine Vaccine Board To Review and Make Recommendations Regarding Expanding the Universal Childhood Immunization Program To Include Adults
(H.P. 550) (L.D. 745)
(C. "A" H-399)

Resolve, Establishing the Commission To Study Strategies To Assist Working-class Families in Building Wealth and Achieving Upward Mobility
(H.P. 743) (L.D. 1005)
(C. "A" H-396)

Resolve, Directing the Department of Transportation To Develop and Adopt an Active Transportation Plan
(H.P. 1004) (L.D. 1370)
(C. "A" H-367)

Resolve, Directing the Department of Economic and Community Development To Create and Share Measures of Progress
(H.P. 1091) (L.D. 1476)
(C. "A" H-400)

Resolve, To Study the Establishment of the Office of the Education Ombudsman
(H.P. 1120) (L.D. 1512)
(C. "A" H-355)

Resolve, To Alleviate the Disproportionate Impact of COVID-19 and Public Health Outcomes
(H.P. 1153) (L.D. 1548)
(C. "A" H-412)

Resolve, Directing the Department of Economic and Community Development, the Department of Labor and the Department of Transportation To Develop Partnerships with Businesses, Unions and Educational Programs and Institutions To Provide Training and Transportation for Workers
(H.P. 1202) (L.D. 1613)

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

An Act To Create a Graduated Real Estate Transfer Tax
(H.P. 302) (L.D. 418)
(C. "A" H-373)

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

On motion of Representative DILLINGHAM of Oxford, was **SET ASIDE**.

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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

The **SPEAKER**: The Chair recognizes the Representative from Turner, Representative Morris.

Representative **MORRIS**: Thank you, Mr. Speaker. Mr. Speaker, I rise today in opposition to the enactment of LD 418. I believe this is a bill that the same objections that I raised two days ago, I raise today. I think that this is something; I've had many folks that are realtors that have reached out to me to express their opposition to this bill. I think the real concern is that these are people that have paid property taxes on their property for many years and now they're being taxed at a higher rate when they go to sell it. 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 Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 193

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, 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, Paulhus, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester,

Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Fecteau, Grignon, Haggan, Harrington, Head, Martin J, Martin T, Millett, Roche, Sharpe.

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 Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-192)** on Bill "An Act To Create Appropriate Standards for the Secretary of State To Follow When Approving the Assignments of Vanity Registration Plates"

(S.P. 65) (L.D. 130)

Signed:

Senators:

DIAMOND of Cumberland
CHIPMAN of Cumberland

Representatives:

MARTIN of Sinclair
BRYANT of Windham
MARTIN of Greene
O'CONNELL of Brewer
PERKINS of Oakland
WHITE of Waterville

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-193)** on same Bill.

Signed:

Senator:

FARRIN of Somerset

Representatives:

CEBRA of Naples
PARRY of Arundel
WHITE of Mars Hill
WILLIAMS of Bar Harbor

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-192)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-192)** 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-192)** in concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-195)** on Bill "An Act To Establish Open Primaries"

(S.P. 99) (L.D. 231)

Signed:

Senators:

LUCHINI of Hancock
HICKMAN of Kennebec

Representatives:

CAIAZZO of Scarborough
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:

Senator:

FARRIN of Somerset

Representatives:

COREY of Windham
DOLLOFF of Milton Township
HARRINGTON of Sanford
KINNEY of Knox

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-195)**.

READ.

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

Representative KINNEY of Knox **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 Westbrook, Representative Rielly.

Representative **RIELLY**: Mr. Speaker, I rise today to speak in support of the motion. LD 231 will be a key part of our lowercase-D democratic toolset in helping push back on the cynicism in our politics, engage voters who feel unheard and want to be involved and encourage civic engagement. LD 231 is another example of Maine leading the way in democratic reforms. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Kennebunk, Representative Babbidge.

Representative **BABBIDGE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, perhaps this is the time or the time has come for this bill. It's a well-written bill,

it's the best semi-open primary bill that's been proposed for this Body.

I will be voting against it. And the reason I will is because this is about political parties and the role they play in the democratic process. There's no doubt that all of us should be able to vote in a general election without any strings. The strings that are identified with political primaries have been identified as major obstacles. They are not. The American system has two parties that are big-tent parties. There are no dues, there's no oath to be taken. A political party is a group of people with similar priorities who work together to elect candidates to implement policy. That party platform that is achieved by the members of a party help to identify what a party is at a given time. They identify their priorities and what they will work for.

I think that a primary is the opportunity for that group of like-minded people, and when I say likeminded, we all know that's very loose, but it's an opportunity for those people to vet candidates and choose a standard-bearer that will promote their priorities to put into policy. There is the possibility that an open primary will allow for strategy to interfere with that process. Now, and what I mean by that is, I know that a Republican can't change at the polls in order to vote in a Democratic primary and vice versa. That is not permitted now, it's not permitted in this bill. It's really designed to allow people who are unenrolled and not in the process to be able to join a political party sort of as a visitor in order to choose their standard-bearer. But the fact of the matter is that there is the possibility for; what's the word, I don't know, I wouldn't call it malice, but for impropriety, and my word would be impropriety, because tactically speaking if my candidate has no serious opponent and I want to disenroll, unenroll in my party and become an unenrolled voter enough in advance, that gives me the opportunity to participate in my opposite political primary in order to vote for who I might consider to be the best candidate in my mind, the person who would do the least damage to my values or whatever. But that's unfair to the folks that are promoting their own candidate. I love my next-door neighbors, but they don't get a vote in where my family goes on vacation.

There are certain things that are decided by the group of people who have taken the very small step to say okay, I will check this box and I will participate and join a party. To do what? To tell the party what direction it should take. There is no obedience, there is no conformity, it is an opportunity to join a group and direct that group to achieve policy that will improve the lives of all people.

So, my defense today is that what's wrong with our political parties, in my mind, is the fact that people don't join them. They need to be encouraged; if we had a hundred percent of the people joining two parties or five parties or whatever; I happen to be a believer in the two-party system, to clarify the choice. But the point is that participation is what I'm after. There's no reason to malign political parties. The rules of the parties are very democratic. The parties are as good as the people who are members of them and if parties work properly, they're a grassroots organization that work from the bottom up.

So, as a long-time government teacher, maybe you can tell that's where I'm coming from, but the framework is there for it to work. An informal message in this bill, to me, is that political parties are bad. They are as good or bad as the people who choose to join. When I'm having difficulty with my colleagues playing basketball, I don't take my basketball and go home, we work it out within the group. And democracy is not an individual task, it is a group task. Because you can have your own opinion but in order to make change, you need to talk with others and work as a group to get things done. We all know that as

Members of the Legislature. So, just for myself, I will be voting against the motion based on these items. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Caiazzo.

Representative **CAIAZZO**: Thank you, Mr. Speaker. Mr. Speaker, there might be some confusion as to the title of this bill. The bill title in the print is "An Act to Establish Open Primaries". The committee amended the bill and it should probably have amended the title as well to say semi-open primaries. And the reason that's important is in an open primary, anybody can vote in any primary regardless of your party affiliation. In a semi-open primary, the way this bill is structured and the amendment was written is if you are an unenrolled voter, you have the option of voting in either party's primary; you can elect on that day to get a ballot for that party. However, if you are an active member, an enrolled member in a party, you may not vote for another party's primary.

The rules have not changed in the State regarding your ability to disenroll or un-enroll from a party and reenroll in a new party. You have the ability to do that currently and then once you disenroll from a party, you can vote in the other party's primary for that day, but there is a 15-day grace period before you can then un-enroll in that party and re-enroll in a new party. That does not change with this bill or this law. A couple of statistics I want to bring to the Body's attention, Mr. Speaker, is that 36 states currently have some form of open primary laws. Maine is only one of 14 that has no version of open primaries. We heard loud and clear in our committee from veterans' groups; 49% of the veterans in our State are registered unenrolled and they cannot participate in the primary process. These are the people that served to allow us to have the privilege to vote and I think it's critical that we give them the opportunity to participate in that process. Sixty-five to 70% of the legislative races in Maine are decided in a primary and 32% of all Mainers are unenrolled. So, almost a third of voters cannot participate currently in the primary process. So, this is about making sure that every Mainer can vote in every election and I would please urge you follow my light. Thank you.

The SPEAKER: The Chair recognizes the Representative from Friendship, Representative Evangelos.

Representative **EVANGELOS**: Thank you, Mr. Speaker and Men and Women of the House. I'm an Independent and I wanted to thank the Good Representative from Kennebunkport for making the case of actually why we need this bill and one of the reasons why I became an Independent. And if you don't think we have a conformity problem in this House, read the big board; 80 to 62 every vote. You go into caucus and you get a conformity and there is no freedom of thought and that's why here we are in the back row, so –

The SPEAKER: The Member will defer. The Chair would remind the Member not to impugn the character of other Members in the Body.

On **POINT OF ORDER**, The Speaker objected to the comments of Representative EVANGELOS of Friendship because he was questioning the motives of other members of the House.

The SPEAKER: The Member may proceed. The Chair reminded all members that it was inappropriate to question the motives of other members of the House.

Representative **EVANGELOS**: Making a reference to the big board and the numbers on it; they kind of speak for themselves. But, anyways, I'm supporting this bill. It's part of an election reform to allow more diversity of opinion into our system and I'll leave it at that. Thank you.

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

Representative **KINNEY**: Thank you, Mr. Speaker, Men and Women of the House. I just want to clarify with mentioning from the Representative from Scarborough who said that people unenrolled cannot participate in a primary is simply not true because you can on the day of a primary register in a party. You can't switch parties, that is true, but, because you have to do that 15 days prior before you can switch your party, but you can, as an unenrolled voter, on primary day, go to the polls, change your party affiliation to the party you would like to vote with, and if you want to vote in the primary, you do have the option if you want to go back to being an unenrolled, there is a waiting period but you can turn around and become unenrolled again. And that process has been working for the parties and I want to thank the Representative from Kennebunk for his words as well, explaining how this does work. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bar Harbor, Representative Williams.

Representative **WILLIAMS**: Thank you, Mr. Speaker. I do support this bill and will be voting for it. I just want to point out one thing that hasn't been mentioned; the voters of Maine, our State and our municipalities, pay for these elections and these elections are excluding some registered voters.

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, everybody can vote in a primary. All you have to do is join the party of your choice. Very simple. No one is denied that right. I'm wondering, though, when you go to a union hall and you elect the president of your union, if nonunion members are allowed to come in and vote in those elections? Or should we have legislation to force that? I'm wondering, as a member of the Knights of Columbus, when we elect our leadership, if the Presbyterians can come over and vote in that election.

So, as you can see where I'm going with this, I have no support for this because there are no rights being denied, there is no one being left out or locked out. All you need to do is join the party of your choice. Follow my vote and defeat this motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Kennebunk, Representative Babbidge.

Representative **BABBIDGE**: Mr. Speaker, thank you. I had the good fortune to bring a class to Washington and Senator Cohen and Senator Mitchell spoke to them at the same time, which was a wonderful thing. And Senator Cohen ended his talk by saying to my students; and be sure to register Republican. And Senator Mitchell piped in right behind him and said; you can register Republican, but vote Democratic. That does tell you that political parties do not dictate which way you go, but to choose their champion, they do have a preliminary meeting in order to put their best candidate forward. That is something that is entitled to every citizen who can create a party if they aren't a member of one that they want to be a member of. So, thank you, Mr. Speaker. I ask if a Roll Call has been asked for?

The SPEAKER: A Roll Call is in order.

Representative **BABBIDGE**: Thank you very much. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative O'Connor.

Representative **O'CONNOR**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this motion. The reason being that I think that we should open up our primaries and the reason is, as it has been said, that

individuals pay for these elections but they also pay for all the choices that we make in this Body. They know, regardless of what the candidate is, what those decisions are going to be, they can align with a candidate and then they can go a select a ballot. Just because you are a Republican or a Democrat doesn't mean that any independent will agree with everything from either platform. This gives you the opportunity to have your voice heard and you shouldn't have to change from independent with independent thoughts to sign up for a party that you might not agree with everything that they have to say. Thank you, Mr. Speaker.

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

Representative **TUELL**: Thank you, Mr. Speaker. I know everybody says they truly weren't intending to speak, but after the Representative from Berwick spoke, I felt compelled to stand up with her and agree with her. You know, for years, I've kind of been a little bit of an outcast at times in my own party. Those who are long-time Members of this Body know that quite well. But, in doing so, I think we need more of that. We need more Susan Collins and more Joe Manchins in politics today. And I think this bill will encourage that. A good friend of mine who gave me the starfish on my lapel, Joyce Maker, reached out to me earlier in the week to support this bill. I know others who support it as well; one who has given these civility pins which some of us are wearing, also support and encourage it. And I say this not to disparage anyone who opposes it for legitimate reasons. There are great folks on both sides who legitimately do, and I truly understand that. But I think the way politics is going, we kind of probably might be time for this. So, that's why I'll be supporting it. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Naples, Representative Cebra.

Representative **CEBRA**: I thank the Speaker. I am loath to stand up and speak on any issue these days. The polarity in politics, in my estimation, has gotten markedly more divisive and worse. And I was going to say what the Good Representative from somewhere in York County over there, Beth O'Connor said, but she said it all. So, rather than stand up for 20 minutes and speak, I'm just going to say listen to Representative O'Connor and follow our light. 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. 194

YEA - Alley, Andrews, Arford, Bailey, Bell, Berry, Bickford, Blume, Brooks, Caiazza, Cardone, Carlow, Cebra, Cloutier, Collings, Copeland, Corey, Crafts, Crockett, Cuddy, Dodge, Doore, Doudera, Downes, Drinkwater, Dunphy, Evangelos, Evans, Fay, Fecteau, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenus, Hepler, Hymanson, Kessler, Landry, Lookner, Madigan, Martin, Mathieson, Matlack, McCrea, McCreight, McDonald, Meyer, Millett, Morales, Moriarty, Newman, O'Connell, O'Connor, O'Neil, Osher, Parry, Paulhus, Peberworth, Perkins, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sampson, Sheehan, Stanley, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuell, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Arata, Austin, Babbidge, Bernard, Blier, Bradstreet, Brennan, Bryant, Carmichael, Collamore, Connor, Costain, Craven, Dillingham, Dolloff, Ducharme, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Harrington, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman,

Martin, Mason, Melaragno, Millett, Morris, Nadeau, Ordway, Pickett, Poirier, Prescott, Quint, Rudnicki, Skolfield, Stearns, Stetkis, Theriault, Thorne, Underwood, Wadsworth, White.

ABSENT - Faulkingham, Grignon, Haggan, Head, Martin, Roche, Sharpe.

Yes, 92; No, 52; Absent, 7; Excused, 0.

92 having voted in the affirmative and 52 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" (S-195) 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-195)** in concurrence.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-487)** on Bill "An Act To Support Farms and Address Food Insecurity" (H.P. 503) (L.D. 691)

Signed:

Senators:

DILL of Penobscot
BLACK of Franklin
MAXMIN of Lincoln

Representatives:

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

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

Signed:

Representative:

UNDERWOOD of Presque Isle

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-487) 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-487)** and sent for concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act To Repeal the Changes Made by Public Law 2019, Chapter 478, 'An Act To Promote Solar Energy Projects and Distributed Generation Resources in Maine'"

(H.P. 426) (L.D. 583)

Signed:

Senators:

LAWRENCE of York
VITELLI of Sagadahoc

Representatives:

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

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

Signed:

Senator:

STEWART of Aroostook

Representatives:

FOSTER of Dexter
GRIGNON of Athens
WADSWORTH of Hiram

READ.

Representative BERRY of Bowdoinham moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative HANLEY of Pittston **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 Pittston, Representative Hanley.

Representative **HANLEY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Let's explain, first of all, what this bill does. The title is a little confusing because the Revisor's Office, you know, they do their magic. But what the bill does, it repeals what is now known as the Dow Bill, the Dow Solar Bill, LD 1711, which was enacted in the 129th and signed into law by the Chief Executive.

What did the Dow Bill do? What did the Dow Solar Bill do? It instructed the Public Utilities Commission to undertake a process of accepting solar proposals for new installations of solar grids. And that legislation in our hearing at that time, the PUC issued a table illustrating the possible impacts of this bill on the ratepayers in the State. This is in June of 2019 and this is the total impact of LD 1711 was \$81 million. They were wrong. The PUC got it terribly wrong. Their first bid proposals came in at \$161 million, above market value, that would be put on the backs and in the meters of the citizens of this State on their electric bills. This bill that I've introduced would repeal that law and take that burden off our citizens. By the way, that's only the first year's impact. In all probability, it would get higher.

Let me explain to you in a nutshell, and by the way, I have no issue with solar panels. My problem is with solar policy. And let me in a nutshell explain Maine's solar policy. You have a really nice young man, he's going door to door, he knocks on your door, you open it, and he has a contract and he says I'd like to sell you electricity. And, for 20 years, here's a contract, you

sign it, it's only 14 cents a kilowatt. But you're a little bit smarter than the average person; you check out your bill in your hand and you can buy it for 7 cents. You're not going to buy it, you're going to close the door on this nice young man, he's going to go away. He's not making a very good living.

So, here's a great idea. He gets together with other likeminded people and they hire lobbyists and they come here and those lobbyists get your government to force you to buy a product you would never buy. That's exactly the solar policy in this State.

This is only the repeal of one portion of a very poorly thought-out policy. And, now, just so you won't go away without any information at all here, I want you to take some time and look up Michael Moore's Planet of the Humans. It's on YouTube. Get your favorite beverage and sit down, I think it's about 40 minutes or 45 minutes long, and get your eyes opened up about the idea of solar and wind being the way out of our energy problems. Educate yourself. I would also suggest that you go online and look up Mark Mills. He is a Senior Fellow at the Energy Institute, the Manhattan Institute of Energy, and he has an amazing report called the New Energy Economy, an Exercise in Magical Thinking. That report clearly lays out facts and figures of why we are crazy and actually it's immoral to put this kind of load on our citizens. So, I ask you to follow my light and defeat the pending motion and then follow from that course to defeat the solar bill altogether. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Mr. Speaker. Mr. Speaker and Men and Women of the House, I think in order to understand this issue and the bill before us as well as other bills on this topic that will be coming before us, it's important to understand just how the battle over distributed resources including, but not limited to, solar has arisen and has evolved in this country.

We have across this country a very unusual utility regulatory paradigm and it's one that has been shaped by 104 years of regulatory, legal and even constitutional law. The Hope and the Bluefield decisions of the 1920s and 1940s, respectively, decisions out of the U.S. Supreme Court essentially established an incontrovertible paradigm. Investors of utilities must be compensated on the basis of investment in the grid, in poles and wires. Distributed resources like solar undermine that understandable motivation. It is the corporate obligation of all for-profit businesses, including the one I work for, to seek to maximize return. So, there's absolutely nothing wrong with those entities doing that. But when it comes to policy, including the bill before us, we have to think about what is best for customers. The choice is simple. We can encourage renewables and resilient and distributed resources including solar, including storage, or we can give in to the arguments of the utilities and others that these things are somehow costly, somehow not helpful, and oppose policies like these changes that we made in 2019 that this bill would repeal.

The Dow Bill, as it was called, was a bipartisan effort and LD 1711 should not be repealed. It has, among other things, generated at least 540 jobs so far and 600 millions of dollars of economic activity and if all of the solar projects that were in the pipeline as of last November are completed, those projects would be supporting close to 7,000 jobs and \$782 million of economic activity in the State. Obviously, there's an enormous climate benefit as well. Thousands of tons of carbon pollution will be offset, electricity bills would be reduced both with the amount paid for energy and for energy generation capacity. A day like yesterday, Mr. Speaker, when it was very hot outside,

the prices on the market for energy were roughly 10 times what they really should be. That's across the New England ISO and other parts of the country as well. We were paying more for utility infrastructure because the lines in the heat become less efficient and so, the longer distances the electricity is required to travel, the more costly our system gets. And, Mr. Speaker, in order to truly address the looming climate crisis before us, we need to be very careful about sending these kinds of whiplash signals to the market that this bill and others we'll be seeing would present. So, with due respect to the sponsor, I urge you, Mr. Speaker, and my Colleagues, to vote in favor of the pending motion. Thank you.

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

Representative **HANLEY**: Thank you, Mr. Speaker. Another component of this cost to our citizens I forgot was that the interconnection fees when the solar people started approaching Central Maine Power to connect their new grids to our existing grid, the cost to do so became outrageously prohibitive. Under the law, they're supposed to pay that. Rest assured, in this House, sooner or later, we're going to see those lobbyists I talked about earlier lobbying again to put that burden of tens of millions of additional dollars onto the ratepayers. This is something that is constantly overlooked by this. And it's unbelievable that we would vote to do this to our citizens. Not just the homeowners, the retired, the fixed income, all those people, their families, but your small grocery stores, your industrial people, their costs are going to be tremendous. And for what? We never discuss other forms of energy; the hydro potential, atomic energy. If we don't put that into our future discussions, it's going to be lights out in a different way. But I urge you again, follow my light. Thank you.

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

Representative **UNDERWOOD**: Private enterprise always does things more efficiently than publicly-owned, government-owned enterprises. Vote against 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. 195

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

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

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

ABSENT - Grignon, Haggan, Head, Martin, Roche, Sharpe.

Yes, 84; No, 61; Absent, 6; Excused, 0.

84 having voted in the affirmative and 61 voted in the negative, with 6 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act Regarding the Solicitation of Contracts for Distributed Resources That Use Renewable Energy"

(H.P. 1051) (L.D. 1435)

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

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

Signed:

Senator:

STEWART of Aroostook

Representatives:

FOSTER of Dexter
GRIGNON of Athens
WADSWORTH of Hiram

READ.

Representative BERRY of Bowdoinham moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative FOSTER of Dexter **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 Dexter, Representative Foster.

Representative **FOSTER**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise today in opposition to the pending motion. I ask for the Speaker's forbearances; some of what I have to say may have already been discussed in the previous bill.

In the 129th Legislature, LD 1711, the big so-called Dow Solar Bill was passed to jumpstart solar investment in Maine, although solar investment was already well underway. Despite concerns raised on potential added costs to ratepayers by many, including the Public Utilities Commission, LD 1711 passed and a floor amendment I proposed failed. Due to the solar goldrush that 1711 caused, the PUC actually refused the first round of bids, which included net energy billing, due to the cost to ratepayers of an additional \$161 million. As a result, several bills were submitted to the 130th Legislature to address

this issue from both parties. Because of this, an EUT subcommittee was formed to look at all bills and find a possible solution to this net energy billing issue. LD 1435 is very similar to the floor amendment I proposed for LD 1711. It would allow the PUC to bid all the megawatts called for as grid scale projects. Those projects called for in 1711 came in at about three and a half cents a kilowatt hour versus 13 cents or more for net energy billing projects.

Despite the work done by the EUT subcommittee, I ask that you support LD 1435 and oppose the pending motion. If the net energy billing projects are allowed to continue, ratepayers will be picking up the tab. If you've had constituents ask you about offers they're getting from solar companies to reduce their light bill by 15% or more, net energy billing is the reason. It's why they are getting these offers at the expense of other ratepayers. The PUC estimates of costs to ratepayers going forward are as follows, and I'll go slow, you may want to jot these down so you can explain to your constituents why you opposed the pending motion. Depending on how many pending projects are actually completed, the net energy billing capacity, the cost per year in millions of dollars and the estimated delivery rate increase for ratepayers are as follows. For 250 megawatts, it would be \$38,350,000, or a 5% rate increase. I'll skip down through some of these in the interest of time. For 1,000 megawatts of NEB capacity, the cost per year will be \$153,390,000, or a 20% rate increase. And, finally, if the full 1500 megawatts of capacity generation is realized, the cost will be an additional \$230,080,000, or a 31% increase to ratepayers. Again, those are the PUC estimates of what's pending now.

Finally, I'd like to read a statement submitted by AARP of Maine, and I quote; AARP of Maine continues to track and engage deliberations regarding legislation that will impact Maine ratepayers in an effort to represent all consumers, but especially those older Mainers living on a fixed income who are far more likely to feel the burden of even the smallest rate hike. AARP Maine objects to the proposal submitted for consideration. Our concerns reflect the high costs and unreasonable impacts associated with these proposals. The result would be a legislative approval of a 20-year contract between electric ratepayers and distributed generation solar providers that would require payments totaling between \$115 million and \$153 million annually from ratepayers, resulting in a distribution rate increase of 15% to 20% annually.

The SPEAKER: The Member will defer. The Chair recognizes the Representative from Bowdoinham, Representative Berry, and inquires to his Point of Order.

Representative **BERRY**: Mr. Speaker, Point of Order. Thank you, Mr. Speaker. I don't believe that the testimony we just heard is actually related to this bill. Thank you.

The SPEAKER: The Member may proceed.

Representative **FOSTER**: Thank you, Mr. Speaker. In my defense, these comments were submitted during discussions on NEB, which also involve the bill that is before us now. To continue from AARP's comments. And I quote; the rate increases stemming from this NEB policy will impact Maine's ability to achieve affordable electrification, pay for our other worthy climate change projects, and achieve our climate change goals. As documented in the November 2020 PUC report, individual ratepayer savings resulting from participation in the NEB program will be offset to a substantial degree by rate increases resulting from lost utility revenues that are ultimately paid for by the general body of ratepayers. AARP went on to say thank you for your consideration of our views. We urge you to treat the ratepayer impacts of any resolution regarding this issue as the highest priority, end-quote.

I ask that you support Maine's seniors, low income, and middle-class citizens as well as large energy use employers by supporting this bill, rejecting the pending motion. LD 1435 may be the last chance we have to legitimately correct the unintended consequences of LD 1711 passed in the 129th Legislature. This bill, 1435, would allow for the same amount of solar, the same number of jobs, but at a much-reduced grid scale wholesale cost per kilowatt hour. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, just briefly, there were four pieces of testimony with respect to the legislation before us. The Good Representative from Dexter, the sponsor of the bill, was one. In addition, we did hear from Preti Flaherty, from the Solar Energy Association of Maine and from the PUC. The PUC was quoted just a moment ago. They testified neither for nor against this legislation and the Solar Energy Association of Maine was certainly against this legislation. It pointed out something very important, which is that many of these cost estimates that are bandied about do apply only to the procurement of energy. But when we think about the procurement of energy, we need to understand that this is a very complex market. We actually also pay in our electric bills for RECs, or renewable energy credits, for resource capacity.

And, again, I ask the Body, Mr. Speaker, to think about the heatwave that appears to be finally subsiding. During that time, when energy prices spike because people turn on their air conditioners and put them at full blast, that is when all of the expenses that are baked into our electric rates are really decided. It is for those hottest days of the year, Mr. Speaker, that we build the entire grid. It needs to be able to handle those few hours of highest use during the year. So, we pay for a grid that is capable of all of that. If we can bring that down by having more solar so when the sun is shining and it is hot, that grid can be a little less expensive, then we save money in our rates. Likewise, we pay for capacity. And what I mean by that, Mr. Speaker, we've all driven down the highway on 295, past the very tall towers in Yarmouth of Wyman Station. Mr. Speaker, that's an oil-fired plant which is only actually there because it is needed for a few days or even a few hours of the year. Again, when it is hottest and those air conditioners are blasting.

Mr. Speaker, we pay through the year in our rates for those one, you know, that one set of hours that that plant is there. We pay what's called a capacity payment so that it is ready when it is needed, it is available, it is tuned up, it is staffed, it is able to be dispatched at a moment's notice. That's very, very, very expensive air conditioning, Mr. Speaker, and I suggest that we think carefully about the policies we enact. There will be some bills coming before us that provide further tuning, if you will, of the incentives, the complex incentives that are part of our regulatory policies. This is unfortunately not the solution to the present challenges. 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. Some of the costs that we're talking about appear to be hidden costs, at least from the public, in the way that they're presented. And in years past when we've generated electricity, for instance, at Maine Yankee, I happened to work there in 1993, one of the things that had to be figured into the cost of Maine Yankee was decommissioning Maine Yankee, and they did that. Windmills and solar, to my knowledge, have nothing equivalent to that to let us know what kind of landfill capacity is going to cost for them as they're

phased out and replaced; another hidden cost to so-called green energy. So, something else I think that we need to think about that will be added at some point in time and should've been added several years ago when the projects were started. Thank you.

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

Representative **FOSTER**: Thank you, Mr. Speaker. I apologize for rising a second time and I thank you for the opportunity. Ladies and Gentlemen of the House, I think if you listen to my comments, I tried to stay away from a debate on the type of energy we needed. My bill would still allow for the same amount of solar capacity to be installed as the Dow Solar Bill initially offered. It does not have us do so at a greatly exaggerated rate which is required to supplement the net energy billing, those who are installing it, the solar companies, but rather would look out for the interests of the consumers, the ratepayers. Again, same number of jobs, same amount of solar capacity, but at a reduced rate. The PUC had no problem at all filling the first half of the Dow Solar Bill at grid scale wholesale prices of around 3.5 cents or 3.4 cents per kilowatt hour versus what came in at 13 cents or more per kilowatt hour to help pay for the net energy billing. It is as simple as that and I ask that you oppose the pending motion and later we can support a bill which will be of greater benefit to our residents and ratepayers in the State of Maine. 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. 196

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

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

ABSENT - Grignon, Haggan, Head, Martin, Millett, Roche, Sharpe.

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** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Require Electronic Benefits Transfer Cards To Be Printed with the Beneficiary's Photograph"

(H.P. 203) (L.D. 287)

Signed:

Senators:

CLAXTON of Androscoggin
BALDACCI of Penobscot
MOORE of Washington

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-469)** on same Bill.

Signed:

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 JAVNER of Chester **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 Lewiston, Representative Connor.

Representative **CONNOR**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Providing assistance to the most needy among us is critical. During the pandemic, we've seen demand for the services offered by local food banks skyrocket and we've seen great uncertainty for working-class Mainers who may need public assistance. At the same time, however, we've also seen troubling decision-making from the administration. Upon taking office, the current Chief Executive took several actions to undo policies of the former administration. This bill addresses the current Chief Executive's decision to eliminate photos from being printed on electronic benefits cards for the Supplemental Nutrition Assistance Program. When this requirement was merely voluntary, many recipients chose to have their photos added to these benefit cards in order to protect the assistance being provided to them. I contend that the decision to remove these photos was misguided and has weakened the integrity of the program, undoing the previous administration's reforms that commonsense Mainers agree with.

Mr. Speaker, approximately 16% of Maine's population relies on the SNAP benefit program; the third highest in the nation. It's no coincidence that immediately following the elimination of the photo requirement in 2019, Maine's federal SNAP error rate quickly shot up to 19%, second-highest in the nation. When the New England average error rate is between 7 and 8%. While one might expect policies to change from one

administration to the next, this is not D.C. Our policies should not oscillate based on the political whims of whoever might occupy the office of Maine's Chief Executive and whether their last name is Baldacci, King, Lepage or Mills. Instead, we should codify into law this commonsense policy which restores integrity to the vital program helping Mainers. For that reason, I will be voting against the pending motion and I urge you to do the same. Thank you, Mr. Speaker.

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

Representative MEYER: Thank you, Mr. Speaker, Women and Men of the House. EBT cards are often issued to households rather than individuals and the card may be used by members of the household or other trusted people doing shopping for them and having the PIN. About a third of SNAP recipients are elderly or disabled and may rely on others to shop for them. When eligible Mainers mistakenly believe SNAP benefits can only be used by the photographed individual, SNAP participation decreases. This problematic and stigmatizing policy was in place here in Maine from 2014 until discontinued in 2019, when clear that photo EBT cards serve little purpose. The cost of EBT cards, on the other hand, are significant. Maine cannot afford to fund a policy that yields no positive impact, discriminates against SNAP benefit recipients, exposes retailers to unnecessary legal risk and exacerbates our already high food insecurity rates. Mainers deserve to keep food on the table without being stigmatized and enduring additional unnecessary scrutiny. 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. 197

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, Paulhus, Pebworth, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Grignon, Haggan, Head, Martin, Perry A, Perry J, Roche, Sharpe.

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 **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Establish More Transparency, Due Process, Education and Understanding between the Department of Health and Human Services and Certain Maine Businesses"

(H.P. 907) (L.D. 1241)

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-474)** 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.

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

Representative LIBBY: Thank you, Mr. Speaker. I rise in opposition to the pending motion. When a bill dealing with a similar subject matter came before the Judiciary Committee earlier this session, I was shocked to learn that many of my fellow Representatives had never heard of the Maine snitch line. What I am referring to are, of course, the two online portals that were created for Mainers to report each other for any potential noncompliance with the Chief Executive's executive orders during the COVID pandemic, otherwise known as the snitch line.

As of March 2021, there had been over 12,000 complaints filed via these online portals, comprising 1,768 pages of complaints. Hundreds of businesses in Maine closed their doors permanently over the last year and many did so without any transparency regarding the complaints that were made about their businesses. This bill requires the Department of Health and Human Services to establish a standard procedure for investigating these complaints against establishments licensed under the Maine Revised Statutes, Title 22, Section 2492, Subsection 1. The bill provides that certain information must be shared with the owner or person in charge of the establishment that is the subject of such an investigation, including the name of the complainant, the name of the department employee investigating the complaint, the laws, rules, executive orders, or policies not being complied with, a corrective action plan, possible accommodations as alternatives to requirements and the appeals procedure. The department is required to issue a finding with respect to compliance.

The bill also requires any scientific or educational materials that are unrelated to licensing requirements to be clearly identified this way. If a representative of the department visits an establishment to discuss these materials, advanced notice must be provided and the visit must take place in ordinary business hours. These 12,000 and counting complaints were made in an anonymous vacuum and the resultant actions that were taken by the Department of Health and Human Services have been completely lacking in transparency and due process. Maine people have had their lives upended and Maine business owners, their livelihoods crushed by a process that lacks any humanity. This bill would ensure a predictable process for a business that has had a complaint made against them rather than an unpredictable process where the business owner has no rights. I ask this Body to follow my light and vote for transparency and due process for Maine business owners.

Representative JAVNER of Chester **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**: I was going to request a Roll Call.

The **SPEAKER**: A Roll Call is in order.

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. During the pandemic, a business in my district received a letter with a complaint from an anonymous accuser. And they chose to actually reach out to the Department of Labor. When they were told that no further action was going to occur because there was no teeth, so to speak, quote-unquote, to the accusation, the department was not going to continue to push for anything against them. But I wonder, Mr. Speaker, how many businesses didn't bother to contact the Department of Labor when they got that letter and just closed their doors permanently because they were too scared to stay in business. I believe there are some that did that. We have a right to know our accuser, regardless of who we are, and this bill solidifies that right, if we were to vote down the pending motion. So, I urge the Members of this Body to please follow my light so we can make sure that our rights are never infringed again. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Gray, Representative Austin.

Representative **AUSTIN**: Mr. Speaker, thank you, Ladies and Gentlemen of the House. If no one else wants to answer that, I'm going to give it a try. I received word that a brand-new business which had only been open for a number of months, obviously they had planned to open and even though COVID was upon us, they went ahead with their opening. They were doing very well, I was hearing good reports, it was a very small, little eatery on Main Street in Gray. And I heard that there had been an anonymous complaint. And so, the good folks from the department came down and talked with them and they were not fined but, again, this is my resources that often love to share information with me and so, I'm going to hope that they were really valid, they said that the business did make the decision because they had been visited, and it was about masking, that they were in fear that the next complaint would end up in a sizable fine and that would probably do them in, so, they did shut their doors. So, to the Good Representative here off to my side,

that seems to have happened at least in that particular incidence and I'm sure it probably happened with others.

So, I will share my opinion about when we feel that something is in violation, I think we have to have the strength and the courage to stand behind the thoughts and the concerns we have and put our name to it. And it's pretty easy to go around and, let's just say it, it's probably an extreme phrase to say defame, but to go and cast doubt and shadow on either people or businesses in a very undercover manner really brings question brings question to what their thoughts and their subsequent underpinning for the complaint is. So, I just share that for what it's worth. Thank you, Mr. Speaker.

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

Representative **MEYER**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, LD 1241 would weaken the integrity with which Maine CDC and the Health Inspection Program conduct their work. The Health Inspection Program, or HIP, provides licensing and inspection services for a wide range of businesses and venues in Maine. Their role is to ensure that we, as the public, have confidence that we are not putting the public health or our personal health at risk when we visit our favorite restaurants, stop at a food truck or send our kids to summer camp. Throughout the pandemic, HIP has also been charged with helping their licensees keep their staff and patrons safe by educating business operators on COVID protocols and requirements and offering education and support when noncompliance has been identified.

In 2019, HIP fielded approximately 500 complaints. During the pandemic, they have fielded over 4,000 complaints. Eight times the amount, with the same-sized team. Of all these complaints, only 10 fines were issued. Inspectors' focus has been and continues to be working with businesses to support their operations and ensure public safety. According to HIP, many noncompliance issues are corrected on site while the inspector is there. Portions of the bill are duplicative of current HIP procedure. For example, HIP already has comprehensive written standard operating procedures for its work. HIP supplied these to the Health and Human Services Committee while we were working on this bill. Other sections of the bill seek to weaken the integrity of HIP's enforcement by removing the authority to conduct unannounced visits and requiring complainant's personal information to be shared with the business owner. Unannounced visits are necessary so that inspectors can observe how an establishment operates under normal operating conditions instead of how they may operate after they prepare for a prescheduled inspection.

As for requiring disclosure of complainant personal information, anonymous public complaints are a key protective measure to ensure significant public health hazards do not go unreported. Preserving the ability to file a complaint anonymously without fear of retribution provides an important measure of privacy and protection to complainants. This bill would significantly hinder the Maine CDC's ability to investigate potential health hazards and protect public health through the inspection of licensed establishments. We do not need to cater to the small number of businesses who put politics before the health of their patrons. Please join me in supporting the Ought Not to Pass Report.

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. 198

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, McCreia, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Grignon, Haggan, Head, Martin, Perry, Roche, Sharpe.

Yes, 81; No, 63; Absent, 7; Excused, 0.

81 having voted in the affirmative and 63 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 **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-477)** on Bill "An Act Directing the Maine Center for Disease Control and Prevention To Release Annually Public Health Data Regarding Certain Fatalities and Hospitalizations"

(H.P. 1026) (L.D. 1392)

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 Not to Pass** 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 to Pass as Amended** Report.

Representative JAVNER of Chester **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 Chester, Representative Javner.

Representative **JAVNER**: Thank you, Mr. Speaker, Men and Women of the House. I rise in opposition to this pending motion. This bill is requiring the Maine CDC to compile data for firearm fatalities and hospitalizations. The Department of Public Safety testified neither for nor against, however, they did provide some great information concerning the process of compiling this data. Somehow, there is no fiscal note on this bill. It baffles me. Because the Department of Public Safety says that they are going to require a computer, the technology piece, in order to compile this, which we especially in Health and Human Services understand is thousands and thousands and thousands of dollars, if not hundreds of thousands of dollars, for that computer piece. So, they are not even at the point as a department that they are going to be able to compile this data for this annual report that we are requesting from them. So, I would please ask that you reject this motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Paris, Representative Andrews.

Representative **ANDREWS**: Thank you, Mr. Speaker. Public health that is funded by our tax dollars should not be used as a backdoor mechanism to infringe upon our Second Amendment rights to keep and bear arms. Please follow my light. Thank you.

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

Representative **PICKETT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I also rise in opposition to the pending motion. This amended bill proposes to collect data on firearms-related fatalities sorted by age. Yet, in my opinion, it's another attempt to create a gun owner registry. The Maine State Police currently oversee the data submission of the Uniform Crime Reporting incidents for every law enforcement agency in the State. This amendment would require a new central database where law enforcement would submit relevant data in a standardized format. There would most certainly be, as mentioned before, a significant cost and much time devoted to the building of and the ongoing maintenance of this new database together and report on the information gathering this amended bill requires. Please follow my light and vote no on the pending motion. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Old Orchard Beach, Representative Gramlich.

Representative **GRAMLICH**: Thank you, Mr. Speaker, Colleagues of the House. I rise up in support of LD 1392. What we don't know can and does indeed hurt us. Good data collection is a vital preventative tool. It is, in fact, the very essence of good public health. Data collection is how effective public health policy is developed and how we understand the exact dimensions of an issue. Once we have a keen understanding of an issue, an understanding driven by data, we can then develop appropriate interventions if necessary. Data collection tells us if our interventions are working or if we need to take another approach. Data collection is the north star of good public health.

Currently, this information is not found elsewhere in one centralized location to obtain all of this data. The intent of LD

1392 is to gather public health data and report such annually, much like we do now with the annual opioid report. This bill is supported by the Maine Academy of Pediatrics, the Maine Hospital Association, the Maine Medical Association, the former Chief Public Health Officer for the State of Maine, as well as the Department of Public Safety and the Maine Department of Health and Human Services. I urge you to support public health and to vote Ought to Pass on LD 1392. Thank you, Mr. Speaker.

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

Representative **HUTCHINS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is not supported by the Second Amendment. Thank you.

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

Representative **COREY**: Thank you, Mr. Speaker. I've been looking at this bill and I'm kind of a little bit confused and I'm hoping somebody may be able to answer a question for me through the Chair?

The SPEAKER: The Member may proceed.

Representative **COREY**: Great. So, as I'm reading this and we're talking about the information that's put into the bureau's statistics, it talks about a category for unintentional and intentional firearm discharges in the State of Maine. There are a lot of firearm discharges in the State of Maine every year. Can somebody explain what kind of firearm discharges are being mandated to be added to the bureau data?

The SPEAKER: The Member has posed a question to anyone who wishes to respond. Seeing none, 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. 199

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, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Grignon, Haggan, Head, Martin, Perry, Roche, Sharpe.

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 to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-477) 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-477)** and sent for concurrence.

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

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act Relating to the Use of Genetic Information for Insurance Purposes"

(H.P. 800) (L.D. 1085)

Signed:

Senators:

SANBORN of Cumberland
BRENNER of Cumberland
STEWART of Aroostook

Representatives:

TEPLER of Topsham
BLIER of Buxton
CONNOR of Lewiston
MATHIESON of Kittery
MELARAGNO of Auburn
MORRIS of Turner
QUINT of Hodgdon

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-454)** on same Bill.

Signed:

Representatives:

ARFORD of Brunswick
BROOKS of Lewiston
EVANS of Dover-Foxcroft

READ.

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

The SPEAKER: The Chair recognizes the Representative from York, Representative Hymanson.

Representative **HYMANSON**: Thank you, Mr. Speaker, Men and Women of the House. I rise to speak against the motion. This bill would prohibit insurance companies from using our genetic test results when underwriting life and long-term care insurance. The problem is that we need this genetic information for our own health more than the insurance underwriter needs another tool in their toolbox.

My husband had genetic testing for a trait that might've made him and our kids susceptible to cancer. When we filled out the forms, the genetic counselor in York, who happened to be head of genetic counseling at the Massachusetts General Hospital, gave us multiple forms to check off other susceptibility genetic markers if we wanted to know. If he knew, say, that he was susceptible to skin cancer, he would know to be careful in the sun, use sunscreen, etcetera, to reduce his risk. But we learned that insurance underwriters could pull this information from his medical chart and use it without knowing if he had modified his behavior. We declined. I wondered if others declined testing because they were unsure about how it would

affect their insurability for life and long-term care insurance. What I found out and when I found out that Florida had the first in the nation vote and passed this bill into law last year, I put in this bill.

So, here's the testimony when I went to my colleagues in Maine and asked them if they had anything to say about this. Here's the testimony in strong support of LD 1085 from Susan Miesfeldt, who is a physician at Maine Medical Center, a medical oncologist, and director of the Maine Health Cancer Risk and Prevention Program. She sees over a thousand Mainers from throughout the State yearly. She says despite the documented public health benefits of identifying and managing hereditary cancer risk, it's our clinic's experience that individuals and families often decline either referral for assessment or the offer of genetic testing for fear of genetic discrimination which includes concerns regarding life and long-term care insurance based on a positive genetic test result. Unfortunately, lack of existing legislation at state or national levels greatly impacts these decisions and results in individuals declining services that can greatly reduce their personal cancer risk as well as the risk among close relatives. She ends by saying we strongly support LD 1085.

So, I asked Kristen Shannon, who is the senior director of the Massachusetts General Hospital genetics program, who was our genetic counselor, and I was going to read her testimony to you, but it's a case of someone who is young and declined testing because he was fearful of life insurance and long-term care insurance ramifications and he didn't have the colonoscopy that he needed because he declined the test and 10 years later he finally got one. She was writing at the time that he had gotten the colonoscopy, I don't have anything to report to you about what showed up, but she was worried about him and knew that he had done it because he hadn't had the testing because of the fear of not getting insurance.

So, when you hear the arguments against this, the insurance company says well, the patient knows something that they don't know, that's not fair. But these are mostly susceptibility genes and the insurance company doesn't know how the person will live their life to decrease the risk. Also, the person just gets a letter from the insurance company they are accepted or denied, no explanation. We have language in law now that says if a person thinks that their genetic information is used improperly, they can make a claim with the Bureau of Insurance, but no one ever knows how the insurance was used. So, the problem is that we need this genetic information for our own health more than the insurance underwriter needs another tool in their toolbox. I hope you'll follow the issue in sessions to come, I'm not calling for a Roll Call, and that my words serve as an introduction to those who have a growing understanding about the issue of genetic testing use and privacy. Thank you, Mr. Speaker.

Representative WARREN of Scarborough **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

Fewer than one-fifth of the members present expressed a desire for a roll call which was not ordered.

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

Representative **WARREN**: I just wanted to speak briefly that I understand that there is perhaps a strong diversity of perspective on this issue, but I believe strongly in this bill.

Mr. Speaker, my own mother has been dealing with a reproductive cancer that is genetic in part in nature and it is a similar cancer that killed my grandmother. And I want to have that information and I don't believe that the economics of it

should play a role in the decision that I make or the way that I have to make choices as a young person about how to protect myself and make considerations between the best health care and the way that an insurance company would use that information. So, I understand my motion failed. I know that I am not the only one and I wish that had been an opportunity to put us on the record just to understand where we're at today and maybe where we could go in the future. Again, I believe strongly where we are now. I think Maine people deserve that. But, thank you, I appreciate your time.

Subsequently, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-488)** on Bill "An Act To Create the Maine Rental Assistance and Voucher Guarantee Program" (H.P. 347) (L.D. 473)

Signed:

Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

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

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

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

READ.

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

Representative 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, ladies and gentlemen, Mr. Speaker. I appreciate your attention. I'd like to thank the sponsor for all the work she did on this to try to get this to a place where we could all be in agreement, but it has fallen a little bit short. I believe that the way the bill is now worded, it still requires too much of the Maine State Housing and it's too directive into what their policies should be. Part of it is the report must include a request for funds if necessary to provide rental assistance to a minimum of a thousand households that are ineligible for or are on a waiting list for other rental assistance

programs. And that's commendable, but we don't know what, looking ahead, what Maine State Housing might want to do.

Furthermore, we've had a lot of housing bills in our committee and they're all over the place. There have been a lot of requests for money. We do have \$200 million coming from the federal government, we have another \$150 million to follow. That could dramatically change the landscape of housing affordability and homelessness in Maine. I think it's wise to hold off on this until we use that money and invest it wisely, then we might find that there's no need for this \$9 million per year. Thank you, Mr. Speaker.

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

Representative **MORALES**: Thank you, Mr. Speaker, Friends and Colleagues in the House. Just to respond to the Good Representative who spoke before me, I worked very hard with Maine Housing and with all of the community members who spoke on behalf of this bill and Maine Housing is in support of this bill and I'm very grateful for their support. This policy came about as a result of the specific recommendations of the 2020 Maine Economic Recovery Committee. The committee was made up of professionals in almost every industry, including CEOs of Maine companies, presidents of our universities, community organizations, and representatives from municipalities, the State and the Honorable Senator Angus King. To make recommendations they believed were critical to improving Maine's economy. As one of the 11 recommendations made, the committee importantly named that we have been in a housing crisis for years and that a significant investment in a rental assistance program is a key component to improving Maine's economy. The committee recognized that Maine has been experiencing an affordable housing crisis. Before the onset of the pandemic, over 25,000 very low-income households in Maine were extremely rent cost burdened, with rents exceeding 50% of their income, leaving those households at risk of homelessness.

The committee recognized housing intersects our economy at every level. Employers need their employees to have safe and affordable housing, schools need their students to have safe and affordable housing, doctors and nurses need their patients to have safe and affordable housing; because without it, their work is nearly impossible to do. Housing is, quite simply, the lynchpin to their success. The committee then recommended that Maine create, quote, a housing program that will support landlords by helping tenants to pay their rent, keeping tens of thousands of people in Maine housed, and support people experiencing homelessness to retain permanent housing, thus relieving pressures on our already-stretched shelters. The Labor and Housing Committee, as I mentioned, worked this bill thoroughly. It heard over four hours of testimony from the community about the need and suggestions to make this bill stronger. The stories told by those testifying included housing providers, seniors, veterans, those experiencing health care challenges, those reentering their communities from incarceration, talking about how nearly impossible it is to secure housing today for those without financial means.

The committee took those suggestions and put them into the amendment today and I am proud to say that the bill is a stronger bill that truly supports landlords and tenants in the following four ways. Number one, it provides landlords and tenants with secure rental assistance payments tailored to Maine's specific needs. Number two, it provides landlords and tenants with housing navigators to help make each tenancy successful. Number three, it provides financial guarantees for landlords in the event that tenancies are unsuccessful. And,

number four, the bill also provides financial support for landlords to make renovations related to lead abatement and other life safety issues. This policy is a true win-win-win. It's a win for landlords, it's a win for tenants, and it's a huge win, Mr. Speaker, for our economy in Maine. So, I ask my fellow colleagues in the House to support this policy as it aligns with the Economic Recovery Committee's major recommendations and is key to providing economic stability and prosperity in Maine. Thank you, Mr. Speaker.

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

Representative **DRINKWATER**: Thank you, Mr. Speaker. Just briefly, some of the things I learned while serving on the Housing Committee and Labor Committee. The good Representative is absolutely right; there is a need, absolutely a strong need for housing. But what we discovered during this process, and as a previous landlord, what I've discovered, it's not for a lack of vouchers, it's for a lack of housing. There were many times I could've taken a Section 8 housing tenant, but I didn't want to take that reduced amount of rent. And that's the problem that we're running into statewide. If we really want to encourage landlords to take in Section 8 housing people, then we need to encourage landlords, perhaps through a tax break, and give them some type of incentive to accept the lower rate. The other thing I discovered was we have a navigator program. I checked with my local housing authority, which is in the Old Town area, and they're not familiar with navigators. They don't use them in the rural district, apparently, and that's something was pointed out in Southern Maine, it's very popular, and it is a paid position. So, what I've come to conclude is it's a lack of landlords willing to take the reduced rent. And that seems to be the problem. Thank you, Mr. Speaker.

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

Representative **SYLVESTER**: Thank you, Mr. Speaker. I think it's important to clarify a few things about this bill because the concepts that are in this bill are tremendously important. The good Representative is right; there is a difference between the voucher and what some of the rents are and there is some distrust from landlords. Perhaps there will be a bill later that will address that gap. However, what this bill does is it allows a conversation between local organizations and landlords, between local organizations and folks who are seeking renting who have fallen through the cracks because of bankruptcy, because of rental history, for whatever reason, who do not qualify for the federal program, and it creates a Maine program. To have the communication neighbor to neighbor that Mainers are known for, Mr. Speaker.

And so, the reason that it is not used, this navigator program has not been used in local areas at this point, is it's a fairly new concept that has been used in a couple of areas with tremendous success. And when you see a program like this that has such tremendous success, Mr. Speaker, you want to bring it everywhere. And that's what this bill does. And I appreciate the work of the sponsor, I appreciate the work of my committee, Mr. Speaker, and we look forward to putting people into houses. 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. 200

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, Paulhus, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Grignon, Haggan, Head, Kryzak, Martin, Roche, Sharpe, White.

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 to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-488)** 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-488)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act To Direct the Department of Labor To Work with the Department of Education and Colleges and Universities and Career and Technical Education Centers To Develop a Preapprenticeship Program and Career Ladder for the Direct Care Workforce" (H.P. 591) (L.D. 786)

Signed:

Senators:

GUERIN of Penobscot
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
BRADSTREET of Vassalboro
CUDDY of Winterport
DRINKWATER of Milford
MORRIS of Turner
PRESCOTT of Waterboro
ROEDER of Bangor
WARREN of Scarborough

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-472)** on same Bill.

Signed:

Senator:

HICKMAN of Kennebec

Representatives:

GERE of Kennebunkport
PEBworth of Blue Hill

READ.

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

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-475)** on Resolve, To Study Best Practices and Different Area Needs for Development of Affordable Homes and Expanding Home Ownership in Maine Communities

(H.P. 912) (L.D. 1246)

Signed:

Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

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

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
MORRIS of Turner
PRESCOTT of Waterboro

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-475)** 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-475)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-476)** on Bill "An Act To Preserve Fair Housing in Maine"

(H.P. 929) (L.D. 1269)

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.

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

Representative ANDREWS of Paris **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. 201

YEA - Alley, Arata, 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, Morris, Newman, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Austin, Bernard, Bickford, Blier, Bradstreet, Carmichael, Cebra, Collamore, Connor, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Harrington, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Nadeau, O'Connor, Ordway, Parry, Perkins, Poirier, Prescott, Quint,

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

ABSENT - Grignon, Haggan, Head, Martin, Pickett, Roche, Sharpe, White.

Yes, 88; No, 55; Absent, 8; Excused, 0.

88 having voted in the affirmative and 55 voted in the negative, with 8 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-476)** 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-476)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-478)** on Bill "An Act Regarding the Waiting Period for Compensation for Incapacity To Work under the Maine Workers' Compensation Act of 1992"

(H.P. 1046) (L.D. 1430)

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.

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 and Ladies and Gentlemen of the House. I rise in opposition to the pending motion. I do appreciate the sponsor's effort to see that employees are taken care of in mental health institutes, but what this does, this would set a precedent, it would be the first

in the nation which would remove the waiting period under normal Worker's Compensation claims. It would put them in the same class as firefighters in Maine and, as a matter of fact, Maine is one of the few states that allow firefighters to come into this classification. So, my concern is that it would set an unfortunate precedent and it'd be very, very costly going forward. So, 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 to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 202

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, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Landry, Lookner, Madigan, Martin, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, Newman, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perkins, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Gramlich, Grignon, Haggan, Head, Lyford, Martin R, Martin T, Roche, Sharpe, White.

Yes, 83; No, 58; Absent, 10; Excused, 0.

83 having voted in the affirmative and 58 voted in the negative, with 10 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-478) 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-478)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-479)** on Bill "An Act To Promote Energy-efficient Affordable Housing"

(H.P. 1227) (L.D. 1656)

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.

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

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

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

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

Representative **BRADSTREET**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I once again rise in opposition to the pending motion. This bill has a considerable fiscal note of \$25 million the first year and \$75 million the second year. And I would like to also go back to the observation I made previously that Maine State Housing has a lot of money coming from the federal government and perhaps that would change the entire outlook on affordable housing in Maine. Beyond that, this establishes a green housing construction program, anyway, it would go through Maine State Housing, which would require the developer to enter into a pre-hire, collectively-bargained project labor agreement and this must apply to all contractors and subcontractors. This part of the bill alone as amended would really limit the number of businesses who will even be willing to bid on a project. Businesses have repeatedly told us they will not bid on a project with a project labor agreement in place. So, it will undermine the affordability, which is in the title of the bill; it would drive costs up. It would act counter to the purpose of the bill. There are other issues as well I have with it, but I think that's sufficient for now. I urge people to vote against the pending motion. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Cape Elizabeth, Representative Millett.

Representative **MILLETT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Many of the issues that we try to address in this Body are very complex and often interwoven. The legislation before us is in recognition of that. We desperately need affordable housing, we desperately need housing that is sustainable and we need families to be earning livable wages. I'm simply going to address the issue around project labor agreements. They have actually, in research, not been shown to increase costs and according to the University of Maine, PLAs maximize efficiency, stability, predictability and productivity. Their purpose is to facilitate the completion of the project by getting all the participants to agree to certain ground rules. They benefit everyone involved; the employer, developers, contractors, workers, unions and local and state economies. Thank you, Mr. Speaker.

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

Representative **GEIGER**: Thank you, Mr. Speaker. I rise in support of this motion. Twice a month, I do a breakfast with the women of my community. We spend a lot of time talking about housing. We invited two realtors to come a couple weeks ago and talk about what was happening on the ground. One of those realtors with 15 years' experience said she starts her work every morning by opening up the multiple listings page. And that for 15 years, somewhere between nine and 11,000 houses are for sale in the State of Maine. On the morning that she came to speak to us, she opened it up and there were 2500 houses for sale in the State of Maine and 500 of them were already under contract. She said the average house lasts 11 days and that now she has a completely different conversation when she comes to speak with someone about listing their house. Now, she starts the conversation by saying do you have a plan, because your house will sell, it will sell very quickly, and there is nothing out there to buy and there is nothing out there to rent. We are in a true crisis situation here. People want to come to Maine, our young people want to live in Maine, they can find neither rent nor housing. We have to take a stand, we have to figure out how to increase the number of housing units on the ground. This bill does that. Thank you.

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

Representative **SYLVESTER**: Thank you, Mr. Speaker. I rise very quickly. The Good Representative from Vassalboro has talked a couple of times about federal money and I just wanted to clear up what that federal money was. The 200 million that has come, it's very specific money for COVID-related rent issues. So, I would encourage every Member in this Body, because that money goes away very soon and we have to ship a check back to the federal government. So, if you know anyone in your district who has been affected by COVID, has past rent due, has past utility bills due, etcetera, etcetera, they should apply for that money because otherwise we have to give it back. The 165 million that we expect to get has no direction yet as to how that money should be spent and so, we have no idea whether or not that money can be used for a program such as this or not, but we are certainly hoping that it can be used with great flexibility. However, we don't know that. Thank you, Mr. Speaker.

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

Representative **STETKIS**: Thank you, Mr. Speaker, Men and Women of the House. There's no question we have a housing shortage causing low-income Mainers and retirees major issues in finding adequate housing, especially in rural Maine. With the 300% increase in building material, a shortage of people in the trades to construct housing, as well as the average housing prices rising about 30% during COVID, without this bill, housing is going to be even more difficult for all Mainers to find decent housing. Mr. Speaker, if you think housing is expensive now; you ain't seen nothing yet. If this bill passes, it's going to require the construction of already sky-high expensive housing to start using the most expensive products and some of the most expensive methods of construction out there, which is going to add at least an additional 20-30% cost to these buildings.

Mr. Speaker, it's undeniable that financial resources in Maine are infinite or, finite, I think some probably think infinite. Increasing the cost of affordable housing 20-30% guarantees we're going to get 20-30% less housing. That's hundreds, if not thousands of Maine families that we will be failing by literally

leaving them out in the cold. Mr. Speaker, let's promote building the safest, cleanest, most efficient housing for many more Maine families by defeating this very expensive housing cost increase. Thank you.

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

Representative **BLIER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Wow; that's all I can say about this bill. I started on the first paragraph; collective bargain and project labor agreement. Only labor union are the only ones that can build these projects. How come? People that are not in the labor unions can't build houses? I had a gentleman reach out to me, a business in my area, he says you know what, the labor union reached out to me, I pay my people \$17 an hour, and they wanted me to join their labor union and I would have to pay them \$35 an hour at the end of it. But that's okay because the projects will pay more money. Do you know that labor is the biggest cost of any project and here we are, we're going to put an organization that's going to cost us twice as much to build? We're complaining about the shortage of housing and we're going to go with green housing. My brother-in-law used to build greenhouses; it was twice as expensive. Now you've got three times the cost in labor, twice as much in building materials and we're complaining about shortage of housing. We're going to build one-third of the houses for the price of one? It doesn't make any sense. The most confusing part of this bill is \$100,000 fiscal note. Are we even going to be able to complete one project with that kind of money? I think Big Dig, I mean, it's like a total disaster here. We've had so many bills come in here for getting money for Maine State Housing. I see why; you guys are going to need it. This is a horrible bill. Please vote Ought Not to Pass. Thank you.

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

Representative **CUDDY**: Thank you very much, Mr. Speaker. When the Representative from Vassalboro first made his comments, he made them correctly regarding PLAs. There are contractors who will choose not to bid upon a PLA. That's their choice, that's their right, they don't have to bid on the PLA. They can, however, bid on the PLA, be they union or nonunion. The construction worker, being he or she union or nonunion can work on the project. There is no prescription against a nonunion contractor bidding on or working on a project labor agreement project. It can't happen. So, to say that only one group or another would be able to work on this project is not the case. There are union and nonunion contractors around the country who have worked on project labor agreement projects.

The cost that we are talking about for some of these things, in my world, as a construction worker, is called a paycheck. And if you want to drive down costs through labor, then what you are doing, Mr. Speaker, is you are driving down paychecks or you are driving down benefits, you are driving down the working conditions of the people who are actually putting together the projects.

I joined a labor union in 2005 because I wanted the respect and dignity at work that having a say in my working conditions generates. That's what I get. I get that today. I am greatly looking forward to our finishing our work here so that I can go back onto projects in the State of Maine and get my hands dirty again, sweating because of my labor instead of sweating because it's 85 degrees and I'm wearing a three-piece suit, which is my own fault, I get that. But I joined that labor union because I wanted that dignity at work, I wanted that respect, I wanted the wage. I've been willing to fight for that the whole time. A PLA, if it raises costs, which there are studies that show

it does not, it's raising them through the wages of the people who are doing the work, it's raising them through benefits to people who are doing the work. So, I would hope that folks will support working people in the State of Maine, I would hope that we will support low-income housing in the State of Maine, affordable housing in the State of Maine, and I would hope that we would support this majority Ought to Pass as Amended motion.

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

Representative **DRINKWATER**: Thank you, Mr. Speaker. Well, there's some passionate speeches here about housing today. You know, I've been searching for the answer, and what is affordable housing? I still haven't figured that out. Hopefully someday I'll find that out. When this bill came first before a hearing, I actually wanted to be on board with this bill, and I mentioned that during the public hearing. There were just a couple issues I had with the bill. I thought maybe we could get a bipartisan agreement, I thought maybe they would work with us. I asked about the PLA, because we've heard testimony from the three largest independent construction companies in the State of Maine, one of them being Cianbro that says they will not bid on any project that requires a PLA. I thought maybe that we could work around that. The other part of the bill that I had concerns with, because I live in a rural district without a bus service, that perhaps we could remove the bus service requirement. Well, no, no, can't do it. In my simple mind, Mr. Speaker, we've got Brunswick Naval Air Station, tremendous amount of empty houses over there. Years ago, in Bangor, they took the Dow Air Force Base housing and turned that into affordable housing. Perhaps we should think about taking this \$100 million, putting it over where there's houses already in place, and spending the money to make that affordable housing. Because, obviously, the need in southern Maine is a lot greater than the need in rural districts. 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, I rise in opposition to the pending motion. I have worked all my life in labor unions. And my district that I represent, I'm going to guess only 5% of the people I represent are union people. So, I can't ignore the 95% that are not members of labor unions. And as I read this document, on page one, under article one, line 21, the authority of the project labor agreement, and the last sentence in that, it says a project labor agreement must protect the collective bargaining rights of the workers involved in the building of affordable housing. That spells a labor contract which is unionized and there's no other way to accept that. So, you would isolate 95% of the people I represent from being able to work on this project. I know a lot of very small contractors that do building projects and they're not unionized. They're going to hire and subcontract all kind whether it's the plumbers or electricians or insulators, they're not going to have collective bargaining agreements. There's no way to do this. This to me, you're creating a tiny island for a very specific group of people and you're ignoring the rest of the workers in the State of Maine. Follow my light and defeat this motion.

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

Representative **BLIER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Thank you for allowing me to rise a second time. And if you read article one, it says the developer must enter into a pre-hire collective bargain and project labor agreement with the workers who will build the housing. Because

a person comes and delivers coffee to the workers and he gets paid even though he's not part of that agreement, the cost to build is what's expensive here. So, I disagree with the Representative and so it's very clear that I'm not going to get any campaign funding from this group, but some people will. Thank you.

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

Representative **COLLINGS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this motion and I do want to reiterate the statement from the Representative from Winterport that a project labor agreement is not just for one group of workers. There are preconditions set forth but everybody that knows about the laws of project labor agreements and their history going back to 1930, which came out in labor laws sponsored by Senator Wagner from New York, signed by President Roosevelt, we have a long history of project labor agreements. Everybody knows that they're not just for labor unions; any company can apply for a bid, they just need to go into that bid knowing that there are these preconditions and there are certain standards that are put in place in a project. And I also will reiterate what was said by the Representative from Cape Elizabeth saying how there's evidence of how efficient and the benefits of a project labor agreement in a project including, is it Gillette Stadium, where the Patriots play? That was with a project labor agreement. It was specifically put in place because they had a tight deadline and they knew by doing so, it would help them reach their deadline with the quality work done. So, this is a very common practice, it's been almost, you know, a 100 years in our history, and it does not discriminate against any company. Anyone can apply for this project; they just need to follow the preconditions that have been set. Thank you.

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

Representative **STETKIS**: Thank you, Mr. Speaker. So, in the real world, if you want to drive down wages, you price projects so high that they never happen. And then everyone earns zero. Exactly like this bill's going to do. I'm really glad that the Representative from Winterport shined the light on this bill, that it's about union labor and their paychecks and it's not about our most needy Mainers. Support more housing by defeating this overpriced, insane bill.

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

Representative **BRADSTREET**: I thank you once again, Mr. Speaker. I'd like to clarify something here. Those people testifying that they would not be willing to bid on such a project did not say that they would not bid on it because it is a union agreement, they said it was a collective bargaining agreement dealing with a project labor agreement. Most people know full well what a project labor agreement is and they will choose not to bid on it, thereby decreasing the number of people who will be bidding on the project, thereby driving up the cost of the project, thereby undermining affordability. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Berwick, Representative O'Connor.

Representative **O'CONNOR**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Beacon Hill Institute actually just did a study this August. In that study, it showed clearly that project labor agreements actually increase the cost of anywhere from 12 to 18% and in public school construction about 20%. And, right now, to answer the question about affordable housing, there is no such thing when we're paying 66 bucks a sheet for plywood. Thank you.

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

Representative **GEIGER**: Thank you, Mr. Speaker, and thank you Members for allowing me to speak for a second time. I'm a new legislator. I'm here for my first term. And I have been so struck by how many bills we pass or discuss that are meant to help Mainers who are struggling. We just passed and the other Body just passed unanimously a bill that would feed children breakfast and lunch –

The SPEAKER: The Member will defer. The Chair would remind the Member, first and foremost, not to refer to the actions of the other Body, and to relate her comments to the motion before us.

On **POINT OF ORDER**, The Chair advised all members that it is inappropriate to refer to the potential action of the office of the executive or the other Body in order to influence the vote of the House.

The SPEAKER: The Member may proceed.

Representative **GEIGER**: We have hungry children, we have lack of housing, we have numerous bills that we pass to try and help people. But the real issue is that they're not making a livable wage. We have increasing depths of despair, we have innumerable programs to try and help opiate addiction, but these are addictions of despair.

The SPEAKER: The Member will defer. The Chair would recognize the Representative from Canaan, Representative Stetkis, and inquire to his Point of Order.

Representative **STETKIS**: Are we still talking about LD 1430? It doesn't seem so.

On **POINT OF ORDER**, Representative STETKIS of Canaan asked the Chair if the remarks of Representative GEIGER of Rockland were germane to the pending question.

The SPEAKER: The Chair would advise the Member that the bill before us is LD 1656. There's been a pretty good deal of latitude. I would just remind the Body, again, to please direct your remarks at the matter before us.

The Chair reminded Representative GEIGER of Rockland to stay as close as possible to the pending question.

The SPEAKER: The Member may proceed.

Representative **GEIGER**: Thank you, Mr. Speaker. I bring all those up because one of the problems in Maine is a lack of a livable wage. We have too many people who are working but yet can't afford housing. This bill, like many others, addresses a complexity of problems and it says that one of the ways we get affordable housing, one of the ways we begin to increase the number of people who can afford that affordable housing, is to pay people for the work that they do. Each time we keep minimum wages low, we don't pay people enough, we return here to pass bills to feed them lunch, we return here to expand Medicaid, we return here to find another way other than to say if you work, if you have the dignity of work, you should also have the dignity of a living wage. This bill is part of that complex. Thank you.

The SPEAKER: The Chair recognizes the Representative from Arundel, Representative Parry.

Representative **PARRY**: Thank you, Mr. Speaker. Mr. Speaker, as we've seen today on most of our votes, you know, my good friends on the other side of the aisle have won every vote, pretty much. But we've also heard on several bills here, and this one, too, about affordable housing. I guess I need to ask to my good friends on the other side of the aisle; do you want affordable housing or do you want to drive up labor cost? Because you can't have both. If you increase the cost of building houses, they're going to make them unaffordable. And you've got to make that choice. You know, we've heard about livable

wage by the last speaker. Down our way, Mr. Speaker, McDonalds is paying \$17 or \$18 an hour to start. Construction workers are making double. You know, we're driving up the cost so much, we will never have affordable housing. And this bill here only makes it worse. So, do we in this Body want to have affordable housing or not? Because you can't double the cost and have affordable housing. You've got to pick. Thank you.

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

Representative **THORNE**: Thank you, Mr. Speaker, Members of the House. I, too, am a freshman legislator. I'm not a lawyer, I'm not a builder, I'm not a contractor, but I can recognize a bill that is not good for Maine citizens and this is one of those bills. It's not about voting party lines, it's about helping our constituents and our fellow Mainers and this will not help them in any way, shape or form. It will only help some get richer. I urge you to vote against the pending legislation. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Rudnicki.

Representative **RUDNICKI**: Thank you, Mr. Speaker. I was just looking at the fiscal note on this particular bill. It's \$25 million in the fiscal year 21/22, \$75 million in fiscal year 22/23. But what struck me in the particular bill is the bill authorizes up to 10% of the program funds a maximum of 2.5 million in the first year of 21/22 and 7.5 million in the second year to be used for the program's administrative costs. Okay, this is affordable housing. Thank you.

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

Representative **LOOKNER**: Thank you, Mr. Speaker. I just want to address a lot of the concerns that we've heard about labor costs driving up the price of housing. I think that's off the mark. The real culprit that's driving up the cost of housing is a lack of supply. If we're treating housing like a commodity, you know, supply and demand or it's subject to those laws and economics. We need more supply, that's the bottom line. Exclusionary zoning ordinances among a lot of municipalities are also driving up costs, so, when we're talking about costs, we have to think about the whole picture. Labor is not responsible for driving up the price of housing. That's what I wanted to say. Thanks.

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. 203

YEA - Alley, Arford, Babbidge, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazza, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, 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, Paulhus, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Roberts, Roeder, Sachs, Salisbury, 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, Bailey, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Harrington, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman,

Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Riseman, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth.

ABSENT - Gramlich, Grignon, Haggan, Head, Martin, Roche, Sharpe, White.

Yes, 80; No, 63; Absent, 8; Excused, 0.

80 having voted in the affirmative and 63 voted in the negative, with 8 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-479) 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-479)** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-468)** on Bill "An Act To Support Maine's Medical Marijuana Program and Ensure Patient Access"

(H.P. 695) (L.D. 939)

Signed:

Senators:

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
WOOD of Portland

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

Signed:

Senator:

LUCHINI of Hancock

Representatives:

CAIAZZO of Scarborough
TUTTLE of Sanford

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-468) 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-468)** and sent for concurrence.

Eight Members of the Committee on **EDUCATION AND CULTURAL AFFAIRS** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-463)** on Bill "An Act To Require That Private Schools That Enroll 60 Percent or More Publicly Funded Students Meet Certain Requirements"

(H.P. 1243) (L.D. 1672)

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

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

Signed:

Senator:

WOODSOME of York

Representatives:

LYMAN of Livermore Falls
ROCHE of Wells
SAMPSON of Alfred

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-464)** on same Bill.

Signed:

Representative:

STEARNS of Guilford

READ.

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

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

Representative **BRENNAN**: Thank you, Mr. Speaker, Men and Women of the House. In a number of communities across the State of Maine, we have what we call 60/40 schools. They are private schools that act as public schools. The amended version of this bill simply asks three things; one, that schools in this situation follow the same health and safety guidelines as public schools. Secondly, that their curriculum aligns with learning results. And, lastly, if 85% of the students in that school are publicly-funded students, that they provide services for children with special needs. It's a very reasonable bill, the committee worked on the bill, and I think it deserves the support of this Body.

Representative STEARNS of Guilford **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 Guilford, Representative Stearns.

Representative **STEARNS**: Thank you. I certainly agree with my good friend from Portland on the quality and the importance of our town academies, our 60/40 schools, or the Big 11, however you'd like to refer to them. The piece on this bill

that is problematic for me, it would insinuate that our town academies are not following high standards for curriculum and high standards for safety. And I don't feel that that's the case whatsoever. A board of trustees oversees those institutions. They're also held with their feet to the fire through a very rigorous accreditation process. And lastly, the sending school districts or towns certainly have the ability through their contractual arrangements for those institutions to make absolutely sure that their students are being treated in a safe and equitable manner while on the campuses. Thank you.

The SPEAKER: The Chair recognizes the Representative from Cape Elizabeth, Representative Millett.

Representative MILLETT: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to address one of the issues that was just raised, and it's actually a little concerning. Because we have in Statute, current Statute, in two places, 20 MRSA Section 2902, Subsection 4, where we already require all private schools, whether you're 60/40 or not, to provide instruction in the basic curriculum established by rule by the Commissioner in alignment with the system of learning results. This is already in law. And there's another section that states this. So, to have individuals insinuate that they shouldn't be held to Maine law is very concerning. 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. 204

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

NAY - Andrews, Arata, Austin, Bernard, Blier, Bradstreet, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Crafts, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Hutchins, Javner, 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, Stearns, Stetkis, Theriault, Thorne, Underwood, Wadsworth.

ABSENT - Bickford, Gramlich, Grignon, Head, Martin, Osher, Roche, Sharpe, White.

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 Report "A" Ought to Pass as Amended was ACCEPTED.

The Bill was READ ONCE. Committee Amendment "A" (H-463) 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-463) 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-481) on Bill "An Act To End At-will Employment"

(H.P. 398) (L.D. 553)

Signed:

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

Two Members of the same Committee report in Report "C" Ought to Pass as Amended by Committee Amendment "B" (H-482) on same Bill.

Signed:

Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

READ.

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

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

Eight Members of the Committee on **STATE AND LOCAL GOVERNMENT** report in Report "A" Ought to Pass on Bill "An Act To Protect State Workers from Exposure to Harmful Substances"

(H.P. 770) (L.D. 1042)

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

Three Members of the same Committee report in Report "B" Ought to Pass as Amended by Committee Amendment "A" (H-489) on same Bill.

Signed:

Senator:
ROSEN of Hancock

Representatives:
DOWNES of Bucksport
TUELL of East Machias

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

Signed:
Representatives:
GREENWOOD of Wales
HEAD of Bethel

READ.

On motion of Representative MATLACK of St. George,
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.

Eight Members of the Committee on **VETERANS AND
LEGAL AFFAIRS** report in Report "A" **Ought to Pass as
Amended by Committee Amendment "A" (H-461)** on Bill "An
Act To Update the Voter Registration Process"
(H.P. 804) (L.D. 1126)

Signed:
Senators:
LUCHINI of Hancock
HICKMAN of Kennebec

Representatives:
CAIAZZO of Scarborough
McCREIGHT of Harpswell
RIELLY of Westbrook
SUPICA of Bangor
TUTTLE of Sanford
WOOD of Portland

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

Signed:
Senator:
FARRIN of Somerset

Representatives:
DOLLOFF of Milton Township
HARRINGTON of Sanford
KINNEY of Knox

One Member of the same Committee reports in Report "C"
**Ought to Pass as Amended by Committee Amendment "B"
(H-462)** on same Bill.

Signed:
Representative:
COREY of Windham

READ.

Representative DUNPHY of Old Town moved that the
House **ACCEPT** Report "A" **Ought to Pass as Amended**.

Representative DILLINGHAM of Oxford **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: 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. 205

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,
Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler,
Landry, Lookner, Madigan, Martin J, Martin R, Mathieson,
Matlack, McCreight, McDonald, Melaragno, Meyer,
Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus,
Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly,
Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover,
Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle,
Warren C, Warren S, White, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Fecteau, Gramlich, Grignon, Head, Martin,
Roche, Sharpe, White, Williams.

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 Report "A" **Ought
to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A"
(H-461)** 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-461)** and sent for concurrence.

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.

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

(H.P. 445) (L.D. 609)

(S. "B" S-177)

TABLED - June 8, 2021 (Till Later Today) by Representative
DUNPHY of Old Town.

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

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

Representative **DILLINGHAM**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just would like to ask a clarifying question, actually two parts, to the Speaker. I want to clarify that this bill did pass already on an emergency measure in this Body, if my memory serves me correctly, and also that the reason we're doing this again is because there was an amendment in the other Body to allow this to be privately funded instead of actually being paid for through state funds.

The SPEAKER: The Chair would answer in the affirmative to both questions.

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

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

ROLL CALL NO. 206

YEA - Alley, Arata, Arford, Austin, Babbidge, Bailey, Bell, Bernard, Berry, Bickford, Blume, Bradstreet, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carlow, Carmichael, Cloutier, Collamore, Collings, Copeland, Corey, Costain, Crafts, Craven, Crockett, Cuddy, Dillingham, Dodge, Dolloff, Doore, Doudera, Downes, Drinkwater, Ducharme, Dunphy, Evangelos, Evans, Faulkingham, Fay, Fecteau, Geiger, Gere, Gramlich, Griffin, Grohoski, Haggan, Hall, Hanley, Harnett, Harrington, Hasenfus, Hepler, Hymanson, Javner, Kessler, Kinney, Kryzak, Landry, Lemelin, Libby, Lookner, Lyman, Madigan, Martin, Mason, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett H, Millett R, Morales, Moriarty, Morris, Nadeau, O'Connell, O'Neil, Ordway, Osher, Parry, Paulhus, Peabworth, Perkins, Perry A, Perry J, Pierce, Pluecker, Poirier, Quint, Rielly, Riseman, Roberts, Roeder, Rudnicki, Sachs, Salisbury, Sheehan, Skolfield, Stearns, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Thorne, Tucker, Tuell, Tuttle, Wadsworth, Warren C, Warren S, White, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Blier, Connor, Foster, Gifford, Greenwood, Hutchins, Lyford, Newman, O'Connor, Pickett, Prescott, Sampson, Stanley, Stetkis, Underwood.

ABSENT - Cebra, Grignon, Head, Johansen, Martin R, Martin T, Reckitt, Roche, Sharpe, White, Williams.

Yes, 124; No, 16; Absent, 11; Excused, 0.

124 having voted in the affirmative and 16 voted in the negative, with 11 being absent, and accordingly, the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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

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

Representative **PICKETT**: Mr. Speaker, I wish to speak on the record.

The SPEAKER: The Representative from Dixfield, Representative Pickett, has requested unanimous consent to speak on the record. Hearing no objection, it is so ordered.

Representative **PICKETT**: Mr. Speaker, had I been in my seat for the Roll Call on Item 6-13, LD 1269, I would have voted no on the Ought to Pass as Amended motion.

COMMUNICATIONS

The Following Communication: (H.C. 170)
MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

June 7, 2021

Honorable Ryan Fecteau
 Speaker of the House
 130th Maine Legislature
 Augusta, Maine 04333

Dear Speaker Fecteau:

I am notifying you that, pursuant to 12 MRSA §683-A, I have forwarded to the Joint Standing Committee on Agriculture, Conservation and Forestry the following nomination made to the Maine Land Use Planning Commission by the Penobscot County Commissioners on May 18, 2021:

Peter Pray of Millinocket

The County asks that this nomination be considered to continue serving a new four-year term that begins July 9, 2021 through July 8, 2025. This position is scheduled to be filled by Penobscot County.

Pursuant to 12 MRSA 683-A, this appointment is subject to confirmation by the Maine Senate after review by the committee having jurisdiction over conservation matters.

Sincerely,

S/Suzanne M. Gresser

Executive Director

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 169)

STATE OF MAINE
CLERK'S OFFICE
2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002

June 8, 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 Committee has voted unanimously to report the following bills out "Ought Not to Pass:"

Judiciary

- | | |
|-----------|--|
| L.D. 216 | An Act To Seal Marijuana Criminal Convictions and Civil Adjudications |
| L.D. 291 | An Act Regarding Continuances for Protection from Abuse Hearings |
| L.D. 725 | An Act To Improve Transparency in State Code and License Violations by Making Public the Names of Complainants |
| L.D. 1055 | Resolve, To Automatically Seal the Criminal History Records Relating to Any Crimes Decriminalized in the 130th Legislature |
| L.D. 1210 | An Act To Remove Barriers to Employment by Sealing the Records of Persons Convicted of Certain Nonviolent Crimes |
| L.D. 1401 | An Act To Prohibit Biological Males from Participating in School Athletic Programs and Activities Designated for Females at Schools That Receive Federal Funding (EMERGENCY) |

- L.D. 1459 An Act Regarding a Post-judgment Motion by a Person Seeking To Satisfy the Prerequisites for Obtaining Special Restrictions on the Dissemination and Use of Criminal History Record Information for Certain Criminal Convictions
- L.D. 1465 An Act To Remove Barriers to Occupational Licensing Due to Criminal Records
- L.D. 1602 An Act Regarding Criminal Records
- L.D. 1719 An Act To Prevent Human Trafficking and Child Exploitation

Sincerely,
S/Robert B. Hunt
Clerk of House

READ and with accompanying papers **ORDERED PLACED ON FILE.**

The Following Communication: (S.C. 635)

**MAINE SENATE
130TH LEGISLATURE**

June 8, 2021

Honorable Ryan 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 nominations:

Upon the recommendation of the Committee on Energy, Utilities and Technology:

- Heather Furth of Old Town for appointment, to the Efficiency Maine Trust Board
- Patrick J. Scully, Esq. of Naples for appointment, to the Public Utilities Commission
Upon the recommendation of the Committee on Inland Fisheries and Wildlife:
- Anthony L. Liguori of Kennebunk for appointment, to the Inland Fisheries and Wildlife Advisory Council

Best Regards,
S/Darek M. Grant
Secretary of the Senate

READ and **ORDERED PLACED ON FILE.**

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

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

UNFINISHED BUSINESS

The following matters, 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.

SENATE REPORT - **Ought to Pass as Amended by Committee Amendment "A" (S-65)** - Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Cap Interest Rates for Consumer Debt"

(S.P. 205) (L.D. 522)

- In Senate, Unanimous **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE**

ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-65).

TABLED - May 19, 2021 (Till Later Today) by Representative DUNPHY of Old Town.

PENDING - **ACCEPTANCE OF COMMITTEE REPORT.**

Subsequently, the Unanimous Committee Report was **ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (S-65)** 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-65)** in concurrence.

Bill "An Act To Make Election Day a State Holiday"

(H.P. 202) (L.D. 286)

- In House, Bill and accompanying papers **COMMITTED** to the Committee on **STATE AND LOCAL GOVERNMENT** on April 28, 2021.

- In Senate, Majority (8) **OUGHT NOT TO PASS** Report of the Committee on **STATE AND LOCAL GOVERNMENT READ** and **ACCEPTED** in **NON-CONCURRENCE.**

TABLED - June 2, 2021 (Till Later Today) by Representative DUNPHY of Old Town.

PENDING - **FURTHER CONSIDERATION.**

Subsequently, on motion of Representative COLLINGS of Portland, the House voted to **RECEDE.**

On further motion of same Representative, the Minority **Ought to Pass as Amended** Report was **ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-39)** 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.**

Representative COLLINGS of Portland **PRESENTED House Amendment "A" (H-492)**, which was **READ** by the Clerk.

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

Representative **COLLINGS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As those of you who were here in the last session will recall, this was a bill that was passed and was on the appropriation table. We adjourned early and that was that for the bill. I brought it back up again and it's the same bill as last session which, very simply, makes election day a state holiday every two years in a general election, which is the case in, I don't remember, maybe in about 12 or 13 other states, and there's legislation pending in other states, it's being considered at the federal level as well for a national holiday. And what this amendment does, Mr. Speaker, is it adds language which is also typical in about two-thirds of all the states currently which the amendment put in based on feedback I received from both Democrats and Republicans. They said if this is a state holiday, that doesn't mean that everyone that works and all these different employers in the State actually get the day off, so, if you're trying to get more people to have the option to vote when they're working, more workers in the state, this original bill doesn't do that. So, the amendment simply puts in place, again, what happens in about two-thirds of other States, is they allow people to have some time off to go and vote.

Now, in these other states around the country, they all have different versions of this law. Some give unlimited time,

some give two hours, three hours, I went right in the middle of all these states, I thought three hours was a fair amount of time, and what the amendment also says is that you just don't simply walk up and leave to go vote, you need to talk to your employer in advance, ask them to go vote, and then you can go do so. So, that's what the amendment does, and I'll just summarize briefly. I have two thoughts in mind with this bill. Number one is I want to provide more options for workers to vote that prefer to go and vote on the day of the election. Now, there's lots of talks about early voting, voting in mail. For myself and many people, we like to go exercise our right to vote with our family, our neighbors, we like to go and vote. So, that's what part of it goes to address.

The other part of it talks about having a new holiday in the State every two years. What is the criteria or why should we have a holiday? Well, we have different holidays, Mr. Speaker; to recognize veterans, to recognize different religious observances, and there's a few of them. And when I put this in, there were two things that came to mind of why I thought this reached this level that this should be a day that we should honor and recognize. Number one is our democracy is fragile, we've seen that more than ever this past year in our elections and what happened at the Capitol in D.C., and it's not something we should take for granted. I believe the right to vote is a sacred institution and it should rise to that occasion that we recognize and honor that. And, in the past history of our country, everyone has not had the right to vote and it's taken many years for every single person in this country to have the right to vote. We started out at the beginning of this country, only 6% of the people could vote; they were white property owners. And then, in about 1820, non-property owners got the right to vote, but those were males. And then, in 1920, women got the right to vote. That was only white women. And then, I forgot to say before 1920, in 1870, after the Civil War, black men, not black women, but black men were given the right to vote. And then finally, in 1965 with the Federal Voting Act, they tried to get rid of prohibitive laws that specifically targeted black people that denied them the right to vote by giving tests, by making them pay fees. That's what a lot of the Civil Rights Act did, besides reacting to the violence of people being beaten and killed trying to exercise their right to vote. And, finally, Mr. Speaker, in 1967, I believe, after the Civil Rights Act, finally, Native Americans in this State could vote. So, they finally got that.

So, it's been a long process, it's been a long history. I think, though, that this voting is a sacred part of our country, we should give it that due and so, for those reasons I presented this, I've added the amendment because I don't want to exclude many people that wouldn't've been included in the original bill, as many of my colleagues on both sides of the aisle pointed out. Thank you, Mr. Speaker.

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

Representative **TUELL**: Thank you, Mr. Speaker. Before I begin, I'd like to pose a question to the Chair.

The SPEAKER: The Member may proceed.

Representative **TUELL**: Thank you, Mr. Speaker. So, to be clear, are we voting on the amendment or the bill plus the amendment?

The SPEAKER: The pending question is the Adoption of House Amendment "A" presented by the Representative from Portland.

Representative **TUELL**: Okay. So, were we to proceed with debating the amendment, we would then have another opportunity to discuss and debate the bill as a whole, correct?

The SPEAKER: The Chair would advise the Member that there will be an opportunity to debate the bill on engrossment.

Representative **TUELL**: Okay. Thank you, Mr. Speaker. And, with that, I would like to speak to the amendment because as the amendment is what is before us, it's important for folks to know that the amendment was not presented at the public hearing as part of the bill. Employers around the State were not aware that it was being presented. What it boils down to as an amendment is a requirement that employers provide so many hours of time for employees to go vote on Election Day. And with all that our employers are facing, our employers didn't have the chance to weigh in, didn't really have the chance to comment for this to come up after the public hearing, to even come up after the work session. I have a real problem with that and I would certainly request a Roll Call on it and will speak to the rest of the bill when the appropriate time comes.

The same Representative **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-492)**.

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 Bickford.

Representative **BICKFORD**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I was amazed at the history lesson we heard. It was enlightening, it was very good. Some of it, I learned in eighth grade, some of it I lived through. But the history lesson we heard has nothing at all to do with this bill. The solution this bill is looking for was made when we allowed early voting and absentee voting.

Mr. Speaker, I don't know anyone that works from seven in the morning until eight o'clock at night, and those are the only people that should be affected by this bill. If I work seven to five, if I work 12 to 12, I have the opportunity on voting day to vote before I go to work or after I get out of work. As in today, when I'm voting at home on the school budget. If I get home before eight o'clock, I'm able to go in and vote on a school budget. It was my choice to risk not doing it this morning; I could've done it at 7:30 this morning before I came up. I chose not to. I chose to think we were going to get out on time. But that is not a fault of this Body or of the Speaker, it's my fault for not realizing that I was going to get out on time. The same thing happens in the real world. People work. They know their schedule; they know that they may have to vote a day early. I actually used to work some days from 4 a.m. until 10 p.m. It was my choice then to vote early or vote absentee. Mr. Speaker, this is not a good bill. It's just another attack on business, as we see quite often in this chamber. Please vote down this amendment and the pending bill. Thank you.

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

Representative **DOLLOFF**: Thank you, Mr. Speaker and Ladies and Gentlemen of the House. You might find this hard to believe, but I've been voting for over 45 years. I've never missed a vote or going to the polls. And if, for some reason, I'm on vacation or we're here late and I know we have a session that day, then I go and I request my absentee ballot and return it. It's that simple. I've always been lucky enough to have some really good bosses that in my job, in my field, did let me go vote and come back. I don't feel this is necessary. Thank you, Mr. Speaker.

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

Representative **MORIARTY**: Thank you, Mr. Speaker, Fellow Members of the House. Just a few hours ago, the veterans of both Bodies of the Legislature had their picture taken

on the balcony. It reminded me that just a week ago Monday we celebrated Memorial Day nationwide and we expressed our thanks and gratitude to those men and women who have given their lives in the service of their country and to defend the country and its values. In November, at about the same time as election day occurs, we celebrate Veterans Day, where we recognize the sacrifices and contributions of all people who have served in uniform, some of whom may have come home injured and damaged for life, others who have served perhaps without incident but have served nonetheless.

I don't mean to digress into speaking about veterans, the point is it's appropriate at this point for us to remember why all of these individuals who we commemorate on these two holidays put on the uniform of their country and chose to serve their country. The answer is clear and we hear it each year on the occasion of these holidays. They did so to protect and preserve American values and the attributes of our Constitution and our civilization. I don't need to reiterate everything in the Constitution that is of value and incredible importance to us for which these individuals gave their health and/or their lives. It's necessary –

Representative **BICKFORD**: Point of Order.

The SPEAKER: The Member will defer. The Chair recognizes the Representative from Auburn, Representative Bickford, and inquires to his Point of Order.

Representative **BICKFORD**: Mr. Speaker, I'm not sure in the last five minutes I've heard anything germane to the subject matter.

On **POINT OF ORDER**, Representative BICKFORD of Auburn asked the Chair if the remarks of Representative MORIARTY of Cumberland were germane to the pending question.

The SPEAKER: The Member may proceed.

Representative **MORIARTY**: Thank you, Mr. Speaker. It's important at this point to, as I said, to remember why these individuals gave their lives and their health; to preserve the values of the country. One of the most important values that we all treasure and cherish is the freedom to vote for those who are to serve as our leaders. We should take all steps reasonable to ensure that as many people have an opportunity to vote to select their leaders. That is a value for which our veterans have served and, in some cases, given their lives. I support the comments of my colleague from Portland and would simply close with this message, and I repeat words spoken by our greatest president. It is altogether fitting and appropriate that we should do this. 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 hate to admit it, but I've been voting for 52 years. And I've many times been able to go in person and when the absentee ballots came about, I was able to do a lot of voting through absentee ballot, but I've always voted. I never expected, nor do I expect, an employer to have to pay an employee to leave work and go in and vote. We have a process for it. I never was ever paid. I think we need to use what we have now, the absentee ballot, which is very simple to get, very easy to use, and there's no excuse for anybody not to vote if they truly want to. I would ask that you follow my light and vote this motion down. Thank you.

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

Representative **GREENWOOD**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I, too, agree with the Representative Collings from Portland; that voting is our

most important right. However, that being said, Mr. Speaker, I don't believe that an employer should be required to pay an employee to go do what the employee should do on their own. Mr. Speaker, during the public hearing on this bill, there was no reference or no indication that this was going to be statewide, this was merely making a state holiday for state employees. This last-minute amendment request here has kind of taken me by surprise, Mr. Speaker. Every individual who wants to vote has the opportunity to vote 30 days in advance. Mr. Speaker, every individual who wants to vote has the opportunity to an absentee ballot, 30 days in advance. Mr. Speaker, anybody who wishes to vote may do so in person on election day. The 129th Legislature passed what's called earned paid leave. An employee is granted one hour of paid time off to do anything necessary after 40 hours of employ. So, if an employee works 120 hours, they've earned that three hours to request from their employer to take the time off to go vote. Mr. Speaker, this amendment is absurd and should not be put on the backs of the Maine businesses. Thank you.

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

Representative **BRADSTREET**: Thank you, Mr. Speaker. I'd like to pose a question through the Chair?

The SPEAKER: The Member may proceed.

Representative **BRADSTREET**: Yes, it's related to the statement just made by the good Representative from Wales. The amendment talks about three consecutive hours of paid leave. Given that we have just enacted paid time off as the Representative referred to, is this intended to be in addition to that which has been awarded to the employees?

The SPEAKER: The Member has posed a question through the Chair to any Member who may wish to answer. The Chair recognizes the Representative from Carmel, Representative Thorne.

Representative **THORNE**: Thank you, Mr. Speaker, Members of the House. I'd like to thank the good Representative from Cumberland for his kind remarks regarding veterans and the sacrifices they've made over the years so that we can have the freedoms that we have today. I'd like to pose a question to the Chair, if I may, the Speaker?

The SPEAKER: The Member may proceed.

Representative **THORNE**: Thank you. I would like to ask anybody that's able to answer it how many Maine citizens were unable to vote in 2020 because Election Day was not a state holiday.

The SPEAKER: The Member has posed a question through the Chair to any Member who may wish to answer. The Chair recognizes the Representative from Greenbush, Representative Carmichael.

Representative **CARMICHAEL**: Thank you, Mr. Speaker. I rise in opposition to this bill. I have a small transportation company in Old Town with 90-some-odd employees and my cost alone to give them time off to vote would be \$8,000. And that's not a small insignificant amount. I think it's kind of short-sided of this Body to put that on small businesses. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Roeder.

Representative **ROEDER**: Thank you, Mr. Speaker. I wanted to address something that my esteemed colleague from Auburn mentioned in regarding his point about this being an expense for already hard-hit businesses. Many of our other colleagues have raised that point. I'll tell you a little story about when I was a director and I had employees under me, I offered them paid time off to go vote. Every single one of them came to

me and said I already voted; I don't need it. I would posit that because we have such generous absentee voting laws in this State that it won't be a vast expense for businesses. And I would also gently remind this Body that each and every one of us have constituents that at some point in their work lives worked 12-hour shifts and might work those 12-hour shifts on election day. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "A" (H-492). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 207

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

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

ABSENT - Andrews, Blier, Cebra, Evangelos, Fecteau, Grignon, Head, Hutchins, Javner, Kinney, Martin, Matlack, Millett, Pierce, Reckitt, Roche, Sharpe.

Yes, 74; No, 60; Absent, 17; Excused, 0.

74 having voted in the affirmative and 60 voted in the negative, with 17 being absent, and accordingly **House Amendment "A" (H-492) was ADOPTED.**

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

Representative **TUELL**: Thank you, Mr. Speaker. Now it would appear to be the appropriate time to debate the bill in its entirety. I rise in opposition to it. As others who mentioned, this bill, it really isn't necessary. We already have absentee voting, people can go to their town office a month ahead of time and vote in person. They can bring their ballot home, they can even have it mailed to them, they can go online and get their ballot. And, sure enough, this past year, Maine's voting percentage was upwards of 70%. Beyond that, historically, Maine's voting percentage has been one of the highest in the country and one of the reasons for that is because, from generation to generation, we have had people whose firmly believe in passing the tradition of voting down from one generation to the next. I would argue we do not need a state holiday for folks to vote. For those reasons, but also because folks can register to vote same-day. I'm not suggesting we do away with same-day voter registration, I think that has allowed many folks to vote. I registered 25 years ago, 26, when I turned 18, I registered the same day and voted then and there. And I think that's important. I think it's important for folks to know that they have options. And, also, that there are a lot of folks that for any number of reasons choose not to vote and some of those reasons may be

the politics of the day, some may be any number of things, but it isn't necessarily that people don't have a chance.

You know, I'm legally blind. One could argue that it would be really hard for me to get out and vote. But, you know, I rely on the generosity of others to get me from point A to point B. I never fail to get here to session every day and I never fail to get to the polls, because I ask, and there are plenty of folks out there that are willing to help folks get to the polls. The League of Women Voters was not in favor of this bill either. In fact, they were indifferent to the bill. There was hardly anyone who spoke in favor of it. And the original bill, as bad as it was, the amendment that we just passed makes it even worse and puts an onus and a burden on the employers of the State. For those reasons, I oppose the bill and request a Roll Call. Thank you, Mr. Speaker.

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended by Committee Amendment "A" (H-39) and House Amendment "A" (H-492).**

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

The SPEAKER: A roll call has been ordered. The pending question before the House is Passage to be Engrossed as Amended by Committee Amendment "A" (H-39) and House Amendment "A" (H-492). All those in favor will vote yes, those opposed will vote no.

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

Representative **BRADSTREET**: Thank you, Mr. Speaker. Yeah, I'd just reiterate what the Good Representative from East Machias just stated. I also want to point out that, strictly speaking, looking at the bill, you give three hours, consecutive hours of paid leave on the day of the general election and down below it says if the employee requests time to vote in the general election, but nowhere does it say that the person has to go vote during that general election. Thank you.

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

Representative **COLLINGS**: Thank you, Mr. Speaker. I just wanted to say very briefly in support of this motion. There was a time in our history when actually Election Day was a holiday. Now, of course, it was at a time over a 100 years ago when not many people actually had the right to vote, but when it did exist, we had a very high voting rate and what happened was, like any other holiday, there's great participation, there's buildup, there's some excitement, so, what would happen is entire families and communities would go together and vote. And, so, when you look at that, compared to other holidays, you look at like Veterans Day or you look at Thanksgiving or other holidays, there are people that at a very high rate in this country say that they support those holidays and they're going to do something on Memorial Day, you know, I could go over every holiday and tell you that the people support them and because they support them there is activity that's planned around that. And so when you allow this to be a holiday and get people to have some excitement about it, they are going to participate at a greater rate.

Now, across the country most developed nations have much higher voting rates than us and what happens is that they can either vote on a weekend or they have the day off. Now, I understand that Maine has a very high voting rate compared to other states and I think if we had this day as a holiday, you'd even see that go up. A presidential year in Maine, very high turnout; a gubernatorial election, it's fairly okay but there's still so many people that don't show up to vote. So, I believe that this actually would increase turnout by quite a bit. I did look at

some polling of why people don't vote. It's not all because they don't have an Election Day holiday, there are very many reasons, but out of that, there's about 15-20% of the people that don't vote that said that they would, so, I see this as a way to encourage turnout. The more people that participate in our voting process, in our democracy, it's better for all of us. And so, for those reasons, I ask people to follow me. Thank you.

The SPEAKER: The Chair recognizes the Representative from Arundel, Representative Parry.

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

The SPEAKER: The Member may proceed.

Representative **PARRY**: Are employees that take this three hours going to have to prove that they voted by taking this three hours off and could that cause undue influence on the employee by the employer?

The SPEAKER: The Member has posed a question through the Chair to any Member who may wish to answer. The Chair recognizes the Representative from Portland, Representative Collings.

Representative **COLLINGS**: Thank you, Mr. Speaker. All I can say to that is there are about 30 or so states that have a similar law, so, I think you might want to ask them. It works fine there and I'm sure it will work fine here as well. Thank you.

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

Representative **THORNE**: Thank you, Mr. Speaker. I would just make the clarifying point on this bill that the holidays that the Good Representative from Portland mentioned were national holidays that have been in place for dozens and sometimes over hundreds of years, in slight comparison to a Maine holiday that will be brand new. And I'd also like to pose a question to the Speaker, if I may?

The SPEAKER: The Member may proceed.

Representative **THORNE**: My question is how long does it take the average person to vote and is an entire day necessary in order to perform that task? Thank you.

The SPEAKER: The Member has posed a question through the Chair to any Member who may wish to answer. The Chair recognizes the Representative from East Machias, Representative Tuell.

Representative **TUELL**: Thank you, Mr. Speaker. I will clear up that question for the Representative from Carmel slightly in that the bill proposes not a full day but a part of a day but in doing so, to answer the Representative from Arundel's question, there really is no proof required, and there really is no proof that folks are actually going to go vote or that they have voted, I'm sorry. So, there is quite a bit of a gray area here. So, that's how I would answer, Mr. Speaker.

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

Representative **SKOLFIELD**: Thank you, Mr. Speaker. I'm wondering, Mr. Speaker, if I was an Allagash Park Ranger up at Churchill Dam and I lived in, say, Pittsfield, for instance, and I wanted to vote on election day, I'm not sure that the time allotted would allow me to drive from Churchill Dam to Pittsfield and back. So, I'm wondering, sir, I'm just wondering, if I had decided the last time I was on my days off and I was back home in Pittsfield and I went in my town office and I voted absentee, would I still take the three hours or whatever off to vote on election day? I'm just wondering that. And I'm wondering how many others might, in that situation, have that same thought go through their head.

It seems to me that we have such a lenient voting situation here in this State that this is very unnecessary and I really am proud of the State of Maine and the way we handle our voting here in Maine. I think we allow people to vote very easily, far easier than it was for those who served us to make it happen. The folks who went ashore in Normandy probably think my goodness, I'm allowing them to do something that's quite easy back home in Maine, and they would be right. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Arundel, Representative Parry.

Representative **PARRY**: Thank you, Mr. Speaker. I just wanted to clarify something, and Google is a wonderful thing. Maine currently has a higher turnout than any of the states that have the state holiday. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Passage to be Engrossed as Amended by Committee Amendment "A" (H-39) and House Amendment "A" (H-492). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 208

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

NAY - Arata, Austin, Bailey, Bernard, Bickford, Blume, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Crockett, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fay, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Hepler, Hymanson, Johansen, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Perry, Pickett, Poirier, Prescott, Quint, Riseman, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Andrews, Berry, Blier, Cebra, Craven, Evangelos, Fecteau, Foster, Grignon, Head, Hutchins, Javner, Kinney, Martin, Matlack, Millett, Pierce, Reckitt, Roche, Sharpe. Yes, 68; No, 63; Absent, 20; Excused, 0.

68 having voted in the affirmative and 63 voted in the negative, with 20 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-39) and House Amendment "A" (H-492) in NON-CONCURRENCE** and sent for concurrence.

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

SENATE DIVIDED REPORT - Majority (11) **Ought to Pass as Amended by Committee Amendment "A" (S-125)** - Minority (2) **Ought Not to Pass** - Committee on **VETERANS AND LEGAL AFFAIRS** 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)

- In Senate, 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)**.

TABLED - June 3, 2021 (Till Later Today) by Representative CAIAZZO of Scarborough.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

Representative CAIAZZO of Scarborough **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 Scarborough, Representative Caiazzo.

Representative **CAIAZZO**: Thank you, Mr. Speaker. Mr. Speaker, colleagues, friends, fellow Mainers, I find myself in the unenviable position of being the sole member of my committee caucus to rise in opposition to this bill. As such, I have very little faith that my words today will sway many of you. But I want to be very clear that I respect each and every Member for voting their conscience and I hope my words will give you a moment of pause before we cast our votes. The title of this bill is An Act to Prohibit Contributions, Expenditures and Participation by Foreign Government-owned Entities to Influence Referenda. That's a pretty impressive title, and if we were just voting on bills by title, who wouldn't support this bill? As my good colleagues across the aisle regularly point out, the devil is in the details, and in my opinion, this is a bad bill.

Federal and state law clearly prohibits contributions by foreign nationals to political candidates or candidate PACs and I support that concept 100%. So, what's the different between funding a candidate versus a ballot initiative? As Representatives, we take thousands of votes on multiple policies every session. A ballot initiative allows the people to vote on a very specific, single issue. This bill is a direct attempt to influence the New England Clean Energy Corridor Citizens Ballot Initiative. Now, it's no secret that I support the Clean Energy Corridor. I'm not going to rehash the debates from the 129th as to why I continue to support this project, but I'm happy to discuss the reasons with anyone at another time. But by its very nature, the ballot initiative process forces us as elected representatives to place our faith and trust in the very people that elected each and every one of us. Like each and every one of us, I believe Maine people are fair and honest by nature and are capable of hearing both sides of an issue, then voting their conscience. This bill attempts to put a finger on the scale of reason by silencing one side of an argument in an attempt to skew the outcome of a vote and it sends a bad message to anyone looking to invest in Maine. We cannot, in all good conscience, legitimately ask companies to invest millions in Maine people, our communities, and our economy, and pay their fair share of local and state taxes and then mute them when it comes time to advocate for positions or issues that directly impact them and our State.

This bill is not only likely unconstitutional from a political speech perspective, but in essence, could also be misconstrued as taxation without representation, and I think we all know how

that's worked out in the past. Business needs stable and predictable regulations in order to make sound decisions. I was born and raised here in the wonderful State of Maine and like each and every one of you, I have dedicated myself to create opportunities for all of the people of the State of Maine to live happy and healthy lives, make decent livings, and to raise their families in a great state so that we can continue to evolve and progress as an amazing state. Mainers are proud, independent, and determined people, but we cannot make our way alone in an increasingly global community. If we continue down the path of reckless abandon, casting aside due process and legitimate regulatory practices, what do you suppose that will do the reputation of our great state? Who will invest in our future then? Most importantly, who will suffer the consequences of such actions; the foreign governments targeted by this desperate act to stop a single project or the hardworking people of Maine? For the benefit of Maine workers and families now and in the future, I urge you to please follow my light and vote no on LD 194. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Berwick, Representative O'Connor.

Representative **O'CONNOR**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. So, when we talk about constitutional issues, the U.S. Constitution First Amendment strictly prohibits free speech by any person lawfully in the United States, including foreign nationals, aliens and foreign government-owned entities. States cannot restrict or prohibit free speech on public policy issues nor curtail spending to express free speech on these issues. States cannot restrict what information is provided to voters in a public policy referendum and LD 194 would violate these constitutional provisions. In addition to that, this will not just affect the New England Clean Energy Connect. This will affect well over 100 businesses in the State of Maine with thousands upon thousands of employees, and they come from every single county in this State. In fact, some of those companies are American Steel and Aluminum Corporation, Backyard Farms, Cooke Aquaculture, Douglas Brothers Stainless Steel, Highland Lumber, McCain Foods, Sunlight Financial, TD Bank, Hannaford Brothers, I will spare you and not read through the entire list because we would be here for a long time, but these employers and these employees, each and every one of them is in your community and one of your family members is probably employed by them. Thank you.

Representative **KESSLER** of South Portland **REQUESTED** that the Clerk **READ** the Committee Report.

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

The **SPEAKER**: The Chair recognizes the Representative from Ellsworth, Representative Grohoski.

Representative **GROHOSKI**: Thank you, Mr. Speaker. Good afternoon, House Colleagues. I appreciate the opportunity to speak in support of the pending motion. Maine law contains a shocking loophole that allows foreign governments to directly influence Maine policy via expenditures on referendum questions. Federal law does not allow these governments to contribute money to the elections of lawmakers, so, it is astounding that we allow them to directly influence the making of laws through referendum electioneering. LD 194 as amended proposes to close this loophole in order to prevent foreign government interference in our democracy through electioneering. It does not prevent free speech; it prevents paid speech. The foreign government-owned entities that this bill would limit can still write op eds and letters to the editor, be interviewed by the media and promote their business and operations more generally through paid advertising.

The inconsistency in our laws on foreign government expenditures was brought to light when Hydro-Quebec, a corporation that is 100% owned by the government of Quebec, started spending significant funds to influence a citizens initiative long before it was certain to go to ballot; more than has ever been spent before in Maine history. Interestingly, such spending is prohibited in Quebec under its laws. Quebec is exploiting our loophole in order to profit and return that benefit to its taxpayers. They have good reason to spend some money here to make more money and reduce their own tax burden. I do not blame them for their profit motivations, but I must ask; why should the citizens and taxpayers of Maine tolerate their electioneering?

Constituents in my district regularly contact me to ask when the Legislature will put a stop to this. They are tired of seeing ads that use unrelated images of beloved Maine sites like Katahdin and Jordan Pond and the Bubbles in Acadia National Park to persuade them that this project is for and about Maine. They are tired of their airwaves continually being clogged by the message that the CMP Corridor is necessary to save our lobsters, blueberries and children's future. Some are for the project, others against; what unites them is that they know how to seek information and make an informed decision without being inundated with millions of dollars of paid advertising. Regardless of your position on the CMP Corridor, I hope you will agree that a foreign government and its own entities should not be allowed to electioneer; full-stop. We can count ourselves lucky that the only foreign government currently exploiting this loophole is Canadian. We cannot leave this loophole open and take the risk that hostile governments will not exploit it in the future. The consequences of an action today are dire to our democratic republic. I ask that you join me in supporting the pending motion.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Cardone.

Representative **CARDONE**: Thank you, Mr. Speaker. I hadn't intended to speak today, but I feel compelled to rise to voice the concern that I have on behalf of our constituents, on behalf of the voters of this State. I'm concerned, Mr. Speaker, that what this bill amounts to is a suppression of information to the voters of this State. We are entrusting these voters to make decisions concerning the CMP Corridor or any other number of referenda that may come along. But yet we as a Body are attempting to restrict where those voters get their information. Who are we to tell our constituents whether they should be getting their information from the Bangor Daily News or the Wall Street Journal or the National Inquirer or their friend's Facebook page? Now, I have my own preferences, but I think each one of our constituents has the right to seek out information from wherever they can find it and wherever it's offered to them. It's up to those constituents to then sift through that information, weigh the facts, the information, the figures that they are given, and make their decision at the polls. I, for one, Mr. Speaker, do not want to stand in the way of that process. It is fundamental to our right of free elections. I will not be supporting this motion.

The SPEAKER: The Chair recognizes the Representative from Gorham, Representative Bailey.

Representative **BAILEY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of the pending motion. I thank the Senator from Oxford County for submitting this bipartisan proposal to address a very big concern about foreign interference in our elections, specifically in regards to referendum elections. Foreign nationals should not be circulating petitions to place questions on our ballots. They

should not be running television ads or paying people to knock on the doors of voters in our State to influence the outcomes of our referendum elections. The argument by opponents of the pending motion that this legislation is somehow unfair to foreign governments and government-owned entities makes little sense to me. Maine welcomes foreign investment. To be clear, foreign nationals invest in Maine not because of good will but because they make a profit from doing business in our State. That is our gift to them; our dollars. They can earn our business, but they don't get to buy our elections too. Maine belongs to Maine, not to Russia, China or Canada. I urge support for 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 to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 209

YEA - Alley, Arford, Babbidge, Bailey, Bell, Blume, Brennan, Brooks, Bryant, Carlow, Collings, Copeland, Corey, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evans, Faulkingham, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, McCreagh, McCreight, McDonald, Melaragno, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry, Pluecker, Poirier, Prescott, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Tuell, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Arata, Austin, Bernard, Bickford, Bradstreet, Caiazza, Cardone, Carmichael, Cloutier, Collamore, Connor, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Johansen, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Meyer, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Perry, Pickett, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Terry, Theriault, Thorne, Tucker, Underwood, Wadsworth, White.

ABSENT - Andrews, Berry, Blier, Cebra, Evangelos, Fecteau, Foster, Grignon, Head, Hutchins, Javner, Kinney, Martin, Matlack, Millett, Paulhus, Pierce, Reckitt, Roche, Sharpe.

Yes, 76; No, 55; Absent, 20; Excused, 0.

76 having voted in the affirmative and 55 voted in the negative, with 20 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (S-125) 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-125)** in concurrence.

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

SENATE DIVIDED REPORT - Majority (9) **Ought to Pass as Amended by Committee Amendment "A" (S-184)** - Minority (4) **Ought to Pass as Amended by Committee Amendment "B" (S-185)** - Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act To Prohibit the Aerial Spraying of Glyphosate and Other Synthetic Herbicides for the Purpose of Silviculture"

(S.P. 58) (L.D. 125)

- In Senate, Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-185)**.

TABLED - June 8, 2021 (Till Later Today) by Representative O'NEIL of Saco.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

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

Representative DILLINGHAM of Oxford **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 Fort Fairfield, Representative McCrea.

Representative **McCREA**: Thank you, Mr. Speaker, Women and Men of the House. I rise in opposition to the pending motion. I wish to state that I am not a fan of pesticides, nor are many of us. However, this bill is not about pesticides, it is simply about the method of application. If this bill, LD 125, were likely to pass, I would certainly be in support of this bill. The Chief Executive's staff testified against this bill in committee and I take that as a suggestion. The Agriculture, Conservation and Forestry Committee spent many, many, many hours in hearings and several work sessions on this bill over the last two Legislatures. In the end, that committee voted for the amended version by a majority of nine to four. Again, I repeat, nine to four. The people of this committee listened, studied, analyzed, discussed, everything we could do with this bill. Timing is everything. Anyway, we spent many, many hours and did a lot of deliberating, etcetera, and because several of us thought that this was quite likely not to become law in the end, we thought we would try to get what we can for environmental law. So, should this version that was a majority of nine to four, should this motion to pass, the minority fail, we will discuss the majority report soon. I thank you very much for your time and I appreciate it, Mr. Speaker.

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

Representative **O'NEIL**: Thank you, Mr. Speaker. Mr. Speaker, the Senate President and people from his area brought this bill to us. This bill would create a ban on spraying herbicide on forestland after clearcutting. Right now, big landowners like Irving spray herbicide from a helicopter after clearcutting to reduce competition from naturally-occurring growth such as beech trees or raspberries. We've been discussing this bill for a couple of years now in ACF. Here's what we learned in the process. This is a public health and environmental issue. Right now, our State allows a handful of the biggest landowners, like Irving, to aerially spray toxic herbicides over thousands of acres of forest. Spraying aerial herbicides isn't healthy for people in the area, and it's bad for wildlife and the environment. It also isn't necessary to grow trees. In fact, the vast majority of forest landowners in Maine do not spray herbicides at all. We're talking about 15,000 acres of

the land that the biggest landowners manage per year. The risk to human health, folks from the county who came to testify in support of this bill, say health concerns such as high cancer rates and concerns about their drinking water. During the public hearing, we learned that regulators aren't testing water, including drinking water, for glyphosate persistence in and around residents' wells. Glyphosate is classified by the WHO as a probable human carcinogen. It's linked to chromosomal damage, harm to fetal development, reduced liver and kidney function and the endocrine system disruption. In 2018, the maker of Roundup paid a \$10 billion settlement for a class action regarding non-Hodgkin's lymphoma. Now the company intends to pay out an additional 2 billion over the next few years.

Regarding safety and drift, we also learned that glyphosate is being applied from a helicopter at three times the height of what the label allows; around 30 feet instead of the recommended 10 feet. That means that there's more potential for the chemicals to travel and cause harm. We had the chance to talk with the applicator who is doing these aerial applications. He's based out of New Hampshire. The practice of applying herbicide at a height three times higher than the glyphosate label allowed was a big topic of concern to farmers as well as residents. We heard from area farmers who were concerned about drift, and they talked about how their crops have been destroyed by drift. Regarding environmental concerns, aerial herbicide spraying reduces food and habitat for wildlife. Some herbicides persist in the soil for months or even years. Glyphosate is toxic to the forest ecosystem, including amphibians and soil fungi. The EPA reported in December of this year that glyphosate greatly threatens nearly all species on the endangered species list and their habitat. We learned from an Allagash-based guide and other wildlife advocates about impacts to wildlife and loss of habitat. That guide and former logger also talked about soils warming and streams drying up as a result of current practices. He talked about the lack of accountability for where cutting and spraying are taking place right now. That person said the buffers are like posting a speed limit and having no police.

Others from the area expressed concern about chemical persistence in animals that they hunt and eat. Many who testified also talked about the potential for chemicals to persist and run into feeder streams and down hills into the big rivers. State regulators acknowledge that they aren't testing for groundwater contamination and other potential health impacts to area residents and wildlife. It's a serious environmental justice concern. During this process, no parties demonstrated that aerial spraying of toxic chemicals over complex ecosystems is healthy or that it protects our future. No parties other than industry argued for maintaining this practice that just a handful of the big landowners use. Supporting the bill were local people expressing concern about spraying and the resulting health and environmental consequences. The Environmental Priority Coalition selected this bill as one of their top priorities for this session. Bottom line; Maine shouldn't let the regulated community make the rules. Current practices prioritize profits at the expense of people living in the region, at the expense of public health and environmental health. Big landowners like Irving engage in these practices because they can make more money and because we allow them to do it. Big companies like Irving aren't passing that extra money along to Maine workers. We heard testimony from local people, residents, workers, guides, who talked about how benefits don't get passed along to workers.

This ban will protect Mainers and it won't make us an outlier. Right now, some municipalities in Maine already ban the use of herbicides for forestry and other protections exist for coastal areas to protect marine life. Vermont banned the aerial spraying of herbicide in forestry in 1997, the Province of Quebec in 2001 and the EU in 2009. And finally, these practices don't support our Climate Council goals. In addition to concerns brought by local stakeholders, aerial spraying doesn't support our Climate Council goals. According to the report released on impacts in Maine, we face unpredictable weather, sea level rise, a warming and increasingly acidified Gulf of Maine, decreased air quality, property damage and threats to biodiversity within our ecosystems. This kind of disruption is already harming our economy, our environment and our quality of life. The actions we take now as a society are going to reverberate in our lifetime and impact future generations. As we establish ourselves as leaders in climate mitigation, we shouldn't wait to ban aerial herbicide spraying.

And just to go over some of the goals from Climate Council work, the goals include increasing forest carbon storage via a healthy diverse forest, fostering soil health and sustainability and maintaining biodiversity including in our working forests. Clearcutting, tearing up the ground, and spraying herbicide doesn't increase our carbon storage. Suppressing early successional growth with herbicide is likely to prolong the time that a stand is a carbon source rather than a carbon sink by knocking back early growth. Numerous studies have recommended longer, not shorter rotations, for improving carbon storage. The same goes for soil health. Spraying the forest with herbicide to help the trees grow a few years faster doesn't serve this goal and we have expert testimony to this effect. To address climate change, everyone needs to make adjustments and help, especially large companies. It's a team effort and each of us has a role to play to avoid extreme costs and catastrophe down the road. My generation and people younger than me are going to pay for everything that our leaders don't do to mitigate the climate crisis and this bill asks large landowner corporations such as Irving to do their part to be accountable to Mainers and to future generations.

In closing, aerial spraying of herbicides on our forests isn't good for Maine, it's not healthy for the communities that live and work in those areas, and it doesn't help us meet our climate goals and it's not benefitting Maine workers. There's a diverse coalition behind this bill and I urge your support for the Minority Ought to Pass Report. Thank you.

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

Representative **STETKIS**: Thank you, Mr. Speaker. I'll keep this one simple. This is a rural Maine job killer. Changing the application of this product will greatly reduce the growth in our forests that provide thousands of jobs for loggers, truckers and sawmill workers. Again, this is a job killer for rural Maine. Please vote this down to save thousands of rural Maine jobs.

The SPEAKER: The Chair recognizes the Representative from Farmington, Representative Landry.

Representative **LANDRY**: Thank you, Mr. Speaker. Just to point out; the Minority Report will do nothing to stop the application of glyphosate, it will just stop the aerial application. Also, the Majority Report will inflict or create greater boundaries that have to be followed.

The SPEAKER: The Member will defer. The Chair would advise the Member that the Member cannot refer to the other report given that that's not before the Body at the moment.

The Chair reminded Representative **PLUECKER** of Warren to stay as close as possible to the pending question.

The SPEAKER: The Member may proceed.

Representative **LANDRY**: Again, this will not stop glyphosate application, it will just change the method. Currently, it's being applied from the air, it will be applied on the ground by mechanical and human means. Thank you.

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

Representative **HALL** of Wilton **REQUESTED** that the Clerk **READ** the Committee Report.

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

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

Representative **PLUECKER**: Thank you, Mr. Speaker. I just wanted to speak to a couple points. One is that approximately 80% of the land which is being maintained for forestry in the North Woods is currently being done without applying aerial or aerial-applied herbicides. It's because it's not being clear-cut, they're doing selective cuts in that land. So, the corporations do have a tried-and-true method for managing this land in a way that makes them money without applying herbicides. Also, just wanted to go ahead and say that when you're no longer applying aerial herbicides over 15,000 acres a year but doing ground applications on a much more limited basis, you will be reducing the application of the glyphosate. Thank you.

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. 210

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

NAY - Arata, Austin, Bailey, Bernard, Bickford, Bradstreet, Bryant, Carlow, Carmichael, Collamore, Connor, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Johansen, Kryzak, Landry, Lemelin, Libby, Lyford, Lyman, Mason, McCrea, Morris, Nadeau, Newman, Ordway, Parry, Perkins, Pickett, Quint, Rudnicki, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Andrews, Berry, Blier, Cebra, Evangelos, Fecteau, Foster, Grignon, Head, Hutchins, Javner, Kinney, Martin, Matlack, Millett, Paulhus, Pierce, Prescott, Reckitt, Roche, Sharpe.

Yes, 77; No, 53; Absent, 21; Excused, 0.

77 having voted in the affirmative and 53 voted in the negative, with 21 being absent, and accordingly the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "B" (S-185)** 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" (S-185)** in concurrence.

Signed:
Senators: CHIPMAN of Cumberland
LIBBY of Androscoggin

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

Representatives:
COLLINGS of Portland
GRAMLICH of Old Orchard Beach

REPORTS OF COMMITTEE
Divided Reports

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Provide Stimulus for Economic Recovery by Enacting a 5 Percent Flat Income Tax" (H.P. 1003) (L.D. 1369)

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

Signed:
Senators: CHIPMAN of Cumberland
LIBBY of Androscoggin

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

Representatives:
TERRY of Gorham
BICKFORD of Auburn
CARMICHAEL of Greenbush
COLLINGS of Portland
GRAMLICH of Old Orchard Beach
HANLEY of Pittston
KRYZAK of Acton
MATLACK of St. George
PERRY of Bangor
SACHS of Freeport

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Increase the Availability of Health Care Services by Eliminating the Certificate of Need for All Health Care Services" (H.P. 683) (L.D. 927)

Signed:
Senators: SANBORN of Cumberland
BRENNER of Cumberland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-500)** on same Bill.

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

Signed:
Senator: POULIOT of Kennebec

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-498)** on same Bill.

Signed:
Senator: STEWART of Aroostook

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

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Serve the Public Interest, Promote Journalism and Save Jobs by Restoring the Sales and Use Tax Exemption for Newspapers" (H.P. 1078) (L.D. 1462)

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

Signed:
Senator: POULIOT of Kennebec

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

Representatives:
TERRY of Gorham
BICKFORD of Auburn
CARMICHAEL of Greenbush
KRYZAK of Acton
MATLACK of St. George
SACHS of Freeport

Representative MORRIS of Turner **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

The **SPEAKER**: The Chair recognizes the Representative from Turner, Representative Morris.

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-499)** on same Bill.

Representative **MORRIS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise today in opposition to the pending motion. Repealing this particular certificate of need for health care services will help in our battle against substance use

disorder, as this is one area that is covered under certificate of need. It also would apply to mental health services, which I know that we are all committed to helping on that issue as well. But, also, repealing on this particular certificate of need will allow for new or innovative health care services to have a chance to compete in a free market without having to ask permission from the government or from their competitors. I urge this Body to reject the pending motion. Thank you.

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

Representative LIBBY: Mr. Speaker and my Esteemed Colleagues, I rise in opposition to the pending motion. LD 927 repeals the requirements for a certificate of need issued by the Department of Health and Human Services for the offering of new health care services by a health care facility. Included in that category are the following; alcohol and drug dependence treatment and substance use disorder services as well as mental health services. Over the last 15 months, we've seen a mental health crisis in our State and around the country. According to the CDC, beginning in April 2020, the proportion of children's mental health-related ED visits among all pediatric ED visits increased and remained elevated through October 2020. Compared with 2019, the proportion of mental health-related visits for children age five to 11 and 12 to 17 years old increased approximately 24% and 31%, respectively. I have received many messages for months now from parents both inside and outside of my district, concerns for their children's mental health, and without resources to get their children help as waitlists abound. We have also seen a drastic increase in overdoses, with 502 drug overdose deaths setting a new annual record in Maine in 2020, and 2021 is now on track to beat that record. Our State is lacking in adequate resources to provide mental health care and treat substance use disorder and repealing this category of certificate of need law is one small piece in that puzzle that will make a difference in those areas. I ask you to vote against the pending motion.

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

Representative TEPLER: Thank you, Mr. Speaker. Mr. Speaker and Men and Women of the House, there is no free market in health care. Health care is not a market that works to provide a price at the correct amount of demand. Those lines just don't cross. If need is there, certificate of need applications will be approved. I have not heard of any treatment centers, particularly in rural areas of the State, that have had a certificate of need application not approved. Simply eliminating the step of certificate of need, which helps create good distribution of health care resources in our State does not mean that we will suddenly find a whole bunch of providers rushing to serve rural areas of Maine. That simply isn't the case.

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

Representative MADIGAN: Thank you, Mr. Speaker. May I ask a question of the Chair?

The SPEAKER: The Member may proceed.

Representative MADIGAN: Just a question out there for anyone who can possibly answer it. I work in mental health and children's mental health and is anyone aware of any certificate of need that any agency or new fledgling agency has put in to provide children's behavioral health care services particularly in rural areas that's been denied or even if it's been put in? Thank you.

The SPEAKER: The Member 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: Thank you, Mr. Speaker. During the discussion of this bill, it was noted that 95% of applications are granted, but that doesn't take into account applications that are not made because the attorney fees and application fees are too steep. Application fees for certificate of need in Maine are among the highest in the country and are as high as a quarter of a million dollars per application.

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. 211

YEA - Alley, Arford, Babbidge, Bailey, Bell, 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, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Pluecker, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Underwood, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Andrews, Berry, Blier, Cebra, Costain, Evangelos, Fecteau, Foster, Grignon, Head, Hutchins, Javner, Kinney, Martin, Matlack, Millett, Paulhus, Prescott, Reckitt, Roche, Sharpe.

Yes, 79; No, 51; Absent, 21; Excused, 0.

79 having voted in the affirmative and 51 voted in the negative, with 21 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 Not to Pass** on Bill "An Act To Enact the Stop Guilt by Accusation Act" (EMERGENCY)

(H.P. 679) (L.D. 923)

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 to Pass** on same Bill.

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 Not to Pass** Report.

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

Representative **SAMPSON**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like you to reflect on criminal justice reform. So, as an example, please consider a young adult minority male who is accused of a heinous crime. This issue receives lots of news coverage; after all, it's a salacious, juicy, newsworthy story. Obviously, the media will cover the story, as they should. If, however, this young man is acquitted, the story doesn't rise to the same newsworthy level. For whatever reason, the media fails to report it. This is actually quite dishonest and falls in the realm of the sin of omission. Without any intervention, this individual is now stigmatized for life and left to his own devices to explain away the cloud of suspicion. This has now destroyed his reputation, self-respect, character and dignity. He is continually faced with a cloud of suspicion which can prevent him from getting a job, housing or having a productive future. He faces the real possibility of becoming an outcast in society, permanently stigmatized, avoided and shunned. This bill would allow him to submit an affidavit within 20 days of being acquitted to the respective media outlets who covered the story originally. In turn, these outlets will have 10 days to report the same manner, time, place, scale and magnitude of the original reporting. If a media outlet does not follow up in a timely manner, the victim can file a lawsuit in civil court against the media outlet to seek damages. This will encourage the media to demonstrate integrity and honesty in their reporting. Out of respect of a human being's future, they should tell the rest of the story. In turn, this will restore the media to its original intent; a watchdog for the people. It will also stem the erosion of fundamental civil liberties when individuals are cast in a false light, resulting in destroyed lives. Think of this as the Paul Harvey Bill, where we should hear the rest of the story. Thank you, and I ask you would oppose this motion.

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

Representative **HARNETT**: Mr. Speaker, this bill tells the press what it must publish and says that if they do not comply with that, they may be subject to civil damages and a private civil lawsuit. I would draw the Members of the House attention to Miami Herald Publishing v Tornillo, a United States Supreme Court from a decision from 1974, which plainly stated that a state law requiring a newspaper to publish something or not to publish something violates the First Amendment freedom of the press as it intrudes into the function of editors in choosing what

material goes into a newspaper and in deciding the size and content of the paper and the treatment of public issues. It's my firm belief that this bill, if enacted, would be subject to a constitutional challenge and found to be unconstitutional. I ask you to support the motion.

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

ROLL CALL NO. 212

YEA - Alley, Arford, Babbidge, Bailey, Bell, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carlow, Cloutier, Collings, Copeland, Corey, 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, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Pluecker, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuell, Tuttle, Warren, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Austin, Bernard, Bickford, Bradstreet, Carmichael, Collamore, Connor, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Johansen, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Underwood, Wadsworth, White.

ABSENT - Andrews, Arata, Berry, Blier, Cebra, Costain, Evangelos, Faulkingham, Fecteau, Foster, Grignon, Head, Hutchins, Javner, Kinney, Martin, Matlack, Millett, Paulhus, Prescott, Reckitt, Roche, Sharpe, Warren.

Yes, 80; No, 47; Absent, 24; Excused, 0.

80 having voted in the affirmative and 47 voted in the negative, with 24 being absent, and accordingly the Majority Ought Not to Pass Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act To Ensure Maine Workers' Right To Request a Schedule Change at Their Places of Employment"

(H.P. 694) (L.D. 938)

Signed:

Senators:

HICKMAN of Kennebec
GUERIN of Penobscot
MIRAMANT of Knox

Representatives:

SYLVESTER of Portland
BRADSTREET of Vassalboro
CUDDY of Winterport
DRINKWATER of Milford
GERE of Kennebunkport
MORRIS of Turner
PEBORTH of Blue Hill
ROEDER of Bangor

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-501)** on same Bill.

Signed:
Representative:
WARREN of Scarborough

PERRY of Calais
STOVER of Boothbay
ZAGER of Portland

READ.

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-117)** on same Resolve.

Signed:
Senator:
MOORE of Washington

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

Representatives:
GRIFFIN of Levant
JAVNER of Chester
LEMELIN of Chelsea

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Expand the Definition of Unlawful Sexual Touching" (S.P. 291) (L.D. 877)

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-116) AS AMENDED BY SENATE AMENDMENT "A" (S-159)** thereto.

Signed:
Senators:
DESCHAMBAULT of York
CYRWAY of Kennebec

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

Representatives:
WARREN of Hallowell
COSTAIN of Plymouth
LOOKNER of Portland
MORALES of South Portland
NEWMAN of Belgrade
PICKETT of Dixfield
PLUECKER of Warren
RUDNICKI of Fairfield
SHARPE of Durham

The Resolve was **READ ONCE. Committee Amendment "A" (S-116)** was **READ** by the Clerk.

Senate Amendment "A" (S-159) to **Committee Amendment "A" (S-116)** was **READ** by the Clerk and **ADOPTED.**

Committee Amendment "A" (S-116) as Amended by Senate Amendment "A" (S-159) thereto was **ADOPTED.**

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

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-116) as Amended by Senate Amendment "A" (S-159)** thereto in concurrence.

Signed:
Representative:
RECKITT of South Portland

Came from the Senate with the Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED.**

READ.

On motion of Representative DUNPHY of Old Town, 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 Provide Transparency Regarding State Contracts during a State of Emergency"

(S.P. 280) (L.D. 729)

Signed:
Senators:
BALDACCI of Penobscot
CLAXTON of Androscoggin

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-116)** on Resolve, To Direct the Permanent Commission on the Status of Racial, Indigenous and Maine Tribal Populations To Study and Propose Solutions to Disparities in Access to Prenatal Care in the State (EMERGENCY)

(S.P. 376) (L.D. 1113)

Representatives:
MATLACK of St. George
BRYANT of Windham
COPELAND of Saco
DOORE of Augusta
PAULHUS of Bath
RISEMAN of Harrison

Signed:
Senators:
CLAXTON of Androscoggin
BALDACCI of Penobscot

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

Representatives:
MEYER of Eliot
CRAVEN of Lewiston
MADIGAN of Waterville

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 Minority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-197)**.

READ.

Representative DUNPHY of Old Town 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. 213

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

NAY - Austin, Bernard, Bickford, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fay, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Johansen, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Andrews, Arata, Berry, Blier, Cebra, Costain, Evangelos, Fecteau, Foster, Grignon, Head, Hutchins, Javner, Kinney, Martin, Matlack, Millett, Paulhus, Prescott, Reckitt, Roche, Sharpe.

Yes, 77; No, 52; Absent, 22; Excused, 0.

77 having voted in the affirmative and 52 voted in the negative, with 22 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURENCE** and sent for concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-39)** on Bill "An Act To Require Third-party Certification for Persons Undertaking Corrosion Prevention and Mitigation Projects for Public Water Supply and Wastewater Infrastructure and Bridges"

(S.P. 137) (L.D. 311)

Signed:

Senators:

DIAMOND of Cumberland
CHIPMAN of Cumberland
FARRIN of Somerset

Representatives:

MARTIN of Sinclair
CEBRA of Naples
MARTIN of Greene
O'CONNELL of Brewer
PARRY of Arundel
PERKINS of Oakland
WHITE of Mars Hill
WHITE of Waterville
WILLIAMS of Bar Harbor

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

Signed:

Representative:

BRYANT of Windham

Came from the Senate with the Reports **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED**.

READ.

On motion of Representative MARTIN of Sinclair, the Bill and all accompanying papers were **INDEFINITELY POSTPONED** in concurrence.

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

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-513)** on Bill "An Act To Protect Data Privacy and Security in Elections"

(H.P. 672) (L.D. 916)

Signed:

Senators:

LUCHINI of Hancock
HICKMAN of Kennebec

Representatives:

CAIAZZO of Scarborough
COREY of Windham
DOLLOFF of Milton Township
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:

Senator:
FARRIN of Somerset

Representatives:
HARRINGTON of Sanford
KINNEY of Knox

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-513)** 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-513)** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-514)** on Bill "An Act Regarding Controlled Entry Areas within Retail Marijuana Stores" (H.P. 1050) (L.D. 1434)

Signed:
Senators:

LUCHINI of Hancock
FARRIN of Somerset
HICKMAN of Kennebec

Representatives:

CAIAZZO of Scarborough
COREY of Windham
DOLLOFF of Milton Township
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:

Representative:
KINNEY of Knox

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-514)** 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-514)** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act

To Establish the Board of Canvassers for Certifying Election Results"

(H.P. 1106) (L.D. 1496)

Signed:
Senators:

LUCHINI of Hancock
HICKMAN of Kennebec

Representatives:

CAIAZZO of Scarborough
McCREIGHT of Harpswell
RIELLY of Westbrook
SUPICA of Bangor
TUTTLE of Sanford
WOOD of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-515)** on same Bill.

Signed:
Senator:

FARRIN of Somerset

Representatives:

COREY of Windham
DOLLOFF of Milton Township
KINNEY of Knox

READ.

Representative CAIAZZO of Scarborough 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. 214

YEA - Alley, Arford, Babbidge, Bailey, Bell, 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, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Pluecker, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Andrews, Berry, Blier, Cebra, Costain, Evangelos, Fecteau, Foster, Grignon, Head, Hutchins, Javner, Kinney, Martin, Matlack, Millett, Morris, Paulhus, Prescott, Reckitt, Roche, Sharpe, Warren.

Yes, 77; No, 51; Absent, 23; Excused, 0.

77 having voted in the affirmative and 51 voted in the negative, with 23 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and was sent for concurrence.

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

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Create Parity between Private Schools and Public Schools Regarding Career and Technical Education Tuition Rates"

(H.P. 298) (L.D. 414)

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
STEARNS of Guilford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-507)** on same Bill.

Signed:

Senator:

WOODSOME of York

Representatives:

LYMAN of Livermore Falls
SAMPSON of Alfred

READ.

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

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-508)** on Bill "An Act To Add a Faculty Member and Nonfaculty Staff Member to the Board of Trustees of the University of Maine System"

(H.P. 919) (L.D. 1253)

Signed:

Senators:

RAFFERTY of York
DAUGHTRY of Cumberland

Representatives:

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

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

Signed:

Senator:

WOODSOME of York

Representatives:

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

READ.

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

Representative 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. 215

YEA - Alley, Arford, Babbidge, Bailey, Bell, 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, McCREA, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Pluecker, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Andrews, Berry, Blier, Cebra, Costain, Evangelos, Fecteau, Foster, Grignon, Head, Hutchins, Javner, Kinney, Martin, Matlack, Millett, Paulhus, Prescott, Reckitt, Roche, Sharpe, Warren.

Yes, 77; No, 52; Absent, 22; Excused, 0.

77 having voted in the affirmative and 52 voted in the negative, with 22 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-508)** 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-508)** and sent for concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-510)** on Bill "An Act To Provide Climate Change Transition Assistance for Maine's Energy-intensive Businesses"

(H.P. 1159) (L.D. 1554)

Signed:

Senators:

LAWRENCE of York
STEWART of Aroostook
VITELLI of Sagadahoc

Representatives:

BERRY of Bowdoinham
CARLOW of Buxton
FOSTER of Dexter
WADSWORTH of Hiram
WOOD of Portland
ZEIGLER of Montville

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-511)** on same Bill.

Signed:

Representatives:

CUDDY of Winterport
GROHOSKI of Ellsworth
KESSLER of South Portland

READ.

On motion of Representative DUNPHY of Old Town, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE. Committee Amendment "A" (H-510)** 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-510)** and sent for concurrence.

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

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-522)** on Bill "An Act To Prohibit Aerial Application of Perfluoroalkyl and Polyfluoroalkyl Substances"

(H.P. 185) (L.D. 264)

Signed:

Senators:

DILL of Penobscot
BLACK of Franklin

MAXMIN of Lincoln

Representatives:

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

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

Signed:

Representative:

UNDERWOOD of Presque Isle

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-522)** 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-522)** and sent for concurrence.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-520)** on Bill "An Act To Strengthen Maine's Agriculture, Food and Forest Economy"

(H.P. 1162) (L.D. 1565)

Signed:

Senators:

DILL of Penobscot
BLACK of Franklin
MAXMIN of Lincoln

Representatives:

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

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

Signed:

Representative:

UNDERWOOD of Presque Isle

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-520)** 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-520)** and sent for concurrence.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought Not to Pass** on Bill "An Act To Address Waste Associated with Solar Energy Equipment"

(H.P. 1184) (L.D. 1595)

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" (H-523)** 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 Not to Pass** Report.

Representative O'CONNOR of Berwick **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 Berwick, Representative O'Connor.

Representative **O'CONNOR**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As many of you know, I have been an opponent of solar since I started here in the Legislature. That being said, I understand that with the solar goldrush that is happening, it's likely here to stay for quite some time. So, what I've decided to turn my focus on is solar recycling because I think that is very, very important. We are going to run into a solar waste crisis. As a matter of fact, a statement was made by a 40-year veteran of the solar industry who is actually ashamed for a lot of his actions and the quotes are three and I will read them. The problem of solar panel disposal, it will explode with full force in two or three decades and wreck the environment because it is a huge amount of waste and they are not easy to recycle, unquote. The reality is that there is a problem now and it's only going to get larger, expanding as rapidly as the PV industry expanded 10 years ago, unquote.

Quote; contrary to previous assumptions, pollutants such as lead or carcinogenic cadmium can be almost completely washed out of the fragments of solar modules over a period of several months by rainwater. The International Renewable Energy Agency, IRENA, in 2016, estimated that there were about 250,000 metric tons of solar panel waste in the world, and by 2050; I'll be in my 90s and I hope I'm still around, but at that time, there could be 78 million metric tons of solar waste that can't be disposed of and I know a lot of you young whippersnappers will still be around.

This bill provides for the stewardship of solar panel waste. It amends the Solar Energy Act to provide for the prevention or minimization of the potential damage from solar panel deterioration and for a tracking system for solar panels. It provides the property with solar panels must be insured to pay the full cost of recycling the solar panels damaged in any form of catastrophe and that the insurance cost be paid from any distributions of insurance proceeds. It provides for state grant funding for the development of a recycling process that recycles 95% of solar panels and the design and construction of recycling equipment and recycling facility using funds from the regional greenhouse gas initiative trust fund and, if needed, funds from the Maine Solid Waste Fund, the Maine Solid Waste Division grant program and the Maine Technology Institute. It provides for penalties for improper disposal of solar energy equipment for failure to register solar energy equipment. It does a lot of things. It's relatively comprehensive and I really wish we could've given it more time. And I do encourage every municipality to actually look at their ordinances and consider with this solar boom that has been happening, how this is going to be disposed of. And to give you a little bit of information on how much solar this is, from Dr. Silkman's report, Zero Carbon by 2050, the estimation is that 40-45,000 acres of solar panels will dot the State of Maine. To put that in perspective, the Acadia National Park sits on 47,000 acres; the Maine potato crop, 47,500 acres; and the blueberry crop, 20,700 acres.

We should also note that the cobalt used to produce the batteries for not only electric cars but for solar is brought out of the cobalt mines by children. Children who are slaves, who have a lifespan of about 15 years old. That, in itself, is shameful and to think that our children are going to see this solar waste crisis, and our grandchildren, I believe that it is high time we get a jump on this before our pristine Maine and all the land in it is destroyed by cadmium and lead and other poisons that will wick into our beautiful farmland and destroy it. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Pittsfield, Representative Collomore.

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

The SPEAKER: The Member may proceed.

Representative **COLLOMORE**: I have constituents asking me the following and I'm not exactly sure how to reply, so, I'd like to ask; how can we call solar power green energy when the process to decommission the technology is not green and is considered harmful to the environment? Thank you, Mr. Speaker.

The SPEAKER: The Member has posed a question through the Chair to any Member who may wish to answer. The Chair recognizes the Representative from Brunswick, Representative Tucker.

Representative **TUCKER**: Thank you, Mr. Speaker. My colleague from Berwick, has identified a true future problem. This bill would start the process of setting up a stewardship program for managing solar panels and equipment. Unfortunately, this specific bill has too many up-front fees, it has

too much bureaucracy, it is premature and there are too many questions and uncertainties. However, I look forward to future discussion of this issue which will confront us in the future.

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. 216

YEA - Alley, Arford, Babbidge, Bailey, Bell, 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, Lookner, Madigan, Martin J, Martin R, Mathieson, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Pluecker, Rielly, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Andrews, Berry, Blier, Cebra, Costain, Evangelos, Fecteau, Foster, Grignon, Head, Hutchins, Javner, Landry, Martin, Matlack, Millett, Paulhus, Prescott, Reckitt, Roche, Sharpe, Sylvester.

Yes, 75; No, 54; Absent, 22; Excused, 0.

75 having voted in the affirmative and 54 voted in the negative, with 22 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act To Promote the Sustainability of Unemployment Insurance by Linking the Duration of Benefits to the State's Average Unemployment Rate"

(H.P. 927) (L.D. 1260)

Signed:

Senators:

HICKMAN of Kennebec
MIRAMANT of Knox

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-524)** on same Bill.

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
PRESCOTT of Waterboro

READ.

Representative DUNPHY of Old Town moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative BRADSTREET of Vassalboro **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 Vassalboro, Representative Bradstreet.

Representative **BRADSTREET**: Thank you, Mr. Speaker. I rise in opposition to the pending motion. The amended version of this bill reads the maximum amount of unemployment insurance benefits is 18 weeks if the state's average unemployment rate is 5% or below, with an additional week added for every one half of one percent if the rate is above 5%, to a maximum of 26 weeks of benefits. I sponsored this bill when I was driving around looking at all the help wanted signs and now hiring signs and it struck me that there are a lot more jobs available than there are people on unemployment. And I think we've provided a disincentive for people to work and this bill seeks to address that, Mr. Speaker. It stands to reason that the lower the unemployment rate, the less time people would need unemployment benefits and the higher the rate, the longer they would need benefits, and that's what this bill addresses. So, when you're going home tonight, if it's still daylight out, Mr. Speaker, every time you see a help wanted sign or a now hiring sign, you'll know why I sponsored this bill. Thank you, Mr. Speaker.

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

Representative **TUELL**: Thank you, Mr. Speaker. I know many of us have heard from employers in our district about how hard it is to find people to go to work and I know one of my favorite local restaurants is struggling to find people and has had to cut back their hours. The place where I stay when I'm here in Augusta has not been able to be fully open from their customary days of Tuesday through Saturday, they're only open Thursday through Saturday, which is great if you're here over the weekend but not so great if you're not. So, that's the case all over the State. So, a few weeks ago, I asked why they're not open and some of it is COVID, I'll grant you, some of it is, at that time, was partially was the COVID restrictions, but equally as important was the fact that they can't find people to come to work. They can't find people that want the jobs, they're screaming for workers, and that's the case everywhere up and down the coast. It's impacting every business, every sector, it's impacting our schools, our towns, everybody. And one of the things I hear is that all of the extra unemployment folks are getting federally is a reason. Now, I realize this bill doesn't deal with that, but if it pushes the needle back to the center, I think it's a good thing and that we should be rejecting the motion before us and encouraging folks to get back to work as quickly as possible since so many of us, myself included, are vaccinated. 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. 217

YEA - Alley, Arford, Babbidge, Bailey, Bell, 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, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Pluecker, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, 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, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Andrews, Berry, Blier, Cebra, Costain, Evangelos, Fecteau, Foster, Grignon, Head, Hutchins, Javner, Martin, Matlack, Millett, Paulhus, Prescott, Reckitt, Roche, Sharpe.

Yes, 78; No, 53; Absent, 20; Excused, 0.

78 having voted in the affirmative and 53 voted in the negative, with 20 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 **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Enact the Campus Free Speech and Free Press Act" (S.P. 524) (L.D. 1640)

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" (S-212)** on same Bill.

Signed:

Senator:

WOODSOME of York

Representatives:

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

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

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 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. 218

YEA - Alley, Arford, Babbidge, Bailey, Bell, 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, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Pluecker, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, 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, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Andrews, Berry, Blier, Cebra, Costain, Evangelos, Fecteau, Foster, Grignon, Head, Hutchins, Javner, Martin, Matlack, Millett, Paulhus, Prescott, Reckitt, Roche, Sharpe.

Yes, 78; No, 53; Absent, 20; Excused, 0.

78 having voted in the affirmative and 53 voted in the negative, with 20 being absent, and accordingly, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act To Eliminate the Current Net Energy Billing Policy in Maine" (S.P. 111) (L.D. 249)

Signed:

Senators:

LAWRENCE of York
VITELLI of Sagadahoc

Representatives:

BERRY of Bowdoinham
CUDDY of Winterport

GROHOSKI of Ellsworth
KESSLER of South Portland
ZEIGLER of Montville

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

Signed:

Senator:

STEWART of Aroostook

Representatives:

FOSTER of Dexter

GRIGNON of Athens

WADSWORTH of Hiram

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

Representative GROHOSKI of Ellsworth moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative WADSWORTH of Hiram **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. 219

YEA - Alley, Arford, Babbidge, Bailey, Bell, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Corey, 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, McCreagh, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Pluecker, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, 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, Bradstreet, Carlow, Carmichael, Collamore, Connor, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Andrews, Berry, Blier, Cebra, Costain, Evangelos, Fecteau, Foster, Grignon, Head, Hutchins, Javner, Martin, Matlack, Millett, Paulhus, Prescott, Reckitt, Roche, Sharpe.

Yes, 79; No, 52; Absent, 20; Excused, 0.

79 having voted in the affirmative and 52 voted in the negative, with 20 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-216)** on Bill "An Act To Improve the Disability Retirement Program of the Maine Public Employees Retirement System"

(S.P. 529) (L.D. 1644)

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-216)**.

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-216)** 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-216)** in concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-209)** on Bill "An Act To Amend the Laws Governing Elections"

(S.P. 450) (L.D. 1363)

Signed:

Senator:

LUCHINI of Hancock

Representatives:

CAIAZZO of Scarborough

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:
Senator:

FARRIN of Somerset

Representatives:

COREY of Windham
DOLLOFF of Milton Township
HARRINGTON of Sanford
KINNEY of Knox

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-209)**.

READ.

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

Representative KINNEY of Knox **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. 220

YEA - Alley, Arford, Babbidge, Bailey, Bell, 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, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Pluecker, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, 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, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Andrews, Berry, Blier, Cebra, Costain, Evangelos, Fecteau, Foster, Grignon, Head, Hutchins, Javner, Martin, Matlack, Millett, Paulhus, Prescott, Reckitt, Roche, Sharpe.

Yes, 78; No, 53; Absent, 20; Excused, 0.

78 having voted in the affirmative and 53 voted in the negative, with 20 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-209)** 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-209)** in concurrence.

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

ENACTORS
Emergency Measure

An Act To Further Protect Consumers from Surprise Medical Bills

(H.P. 12) (L.D. 46)
(C. "A" H-452)

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 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Amend the Dental Practice Act To Define "Supervision" and Authorize Teledentistry

(H.P. 42) (L.D. 76)
(C. "A" H-484)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 104 voted in favor of the same and 2 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2021, June 30, 2022 and June 30, 2023

(H.P. 117) (L.D. 161)
(C. "A" H-467)

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

The **SPEAKER**: The Chair recognizes the Representative from Sinclair, Representative Martin.

Representative **MARTIN**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, it is my pleasure to have LD 161, the Highway Fund Budget for Fiscal Year 2022/2023 before us for enactment. Mr. Speaker, this budget is the unanimous report of members of the Transportation Committee. I know, Mr. Speaker, that each and every one of us know the importance of Maine's transportation system, whether it be the 8800 centerline miles of highway that carries 87% of all vehicles traveled, the almost 3,000 bridges and minor spans within state control, one of Maine's seven owned ferry boats or one of other equally important modes this budget will support. Mr. Speaker, our constituents depend on a safe and reliable transportation system to access employment, health care and receive life-sustaining goods. This highway fund, Mr. Speaker, is used to account for revenues derived from the excise taxes, license and other fees related to the registration, operation, and

use of vehicles on public highways, as well as fuel taxes. These represent roughly two-thirds of highway fund revenues. This revenue must be used for highway-related activities.

LD 161, Mr. Speaker, allocates approximately 670 million highway fund dollars to the Department of Administration and Financial Services, Environmental Protection, Public Safety, Secretary of State and Transportation over this biennium. The funding proposed within LD 161 is essential to supporting the 2180 work items with the Maine Department of Transportation's annual three-year work plan, 77% of highway fund budget also supports the roughly 1800 dedicated men and women who work for Maine DOT. It provides critical funding toward Maine DOT's goal of delivering 725 miles of light capital paving in each calendar year for 2022 and 2023, of a highway capital paving program as many of us refers to as skinny-mix program is primarily a way the department cost effectively keeps over half our state highway system miles statewide in serviceable condition. In addition, Mr. Speaker, this budget also provides for \$42.9 million over the biennium to the Local Road Assistance Program, the ongoing municipal revenue sharing of the highway fund for local capital highway needs, something our municipalities have come to rely on each year.

Mr. Speaker, while this session was my first serving as House Chair of the Transportation Committee, I was immediately impressed by the way the committee conducts business and for that I want to thank all committee members, committee members on both sides of the aisle, for their dedication and their compromising spirit. I am incredibly proud of the fact that our committee reported out close to 80% of our bills on a unanimous basis. The funding, Mr. Speaker, included in LD 161 is mission critical to the department it supports. I urge you to follow my light and vote for this outstanding piece of legislation. Thank you, ladies and gentlemen.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 116 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Protect Teachers from a Decrease in Retirement Benefits Arising from the COVID-19 Pandemic

(H.P. 372) (L.D. 509)
(C. "A" H-490)

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. 106 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.

Emergency Measure

An Act To Amend the Marijuana Legalization Act

(H.P. 441) (L.D. 605)
(C. "A" H-466)

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. 101 voted in favor of the same and 24 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Ensure Continued Health-related Services for Children To Access Education

(H.P. 622) (L.D. 854)
(C. "A" H-444)

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. 114 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Amend the Teacher Certification Statutes

(H.P. 867) (L.D. 1189)
(C. "A" H-451)

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 7 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, Regarding Legislative Review of Portions of Chapter 570: Uniform Reporting System for Prescription Drug Price Data Sets, a Major Substantive Rule of the Maine Health Data Organization

(H.P. 7) (L.D. 41)

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

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

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

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

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

ROLL CALL NO. 221

YEA - Alley, Arford, Babbidge, Bailey, Bell, 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, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry, Pierce, Pluecker, Rielly, Roberts, Roeder, Sachs, Salisbury, 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, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Gifford, Greenwood, Griffin, Hall, Hanley, Harrington, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyman, Mason, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Andrews, Berry, Blier, Cebra, Costain, Evangelos, Fecteau, Foster, Grignon, Haggan, Head, Hutchins, Javner, Lyford, Martin, Matlack, Millett, Paulhus, Perry, Prescott, Reckitt, Riseman, Roche, Sharpe.

Yes, 76; No, 51; Absent, 24; Excused, 0.

76 having voted in the affirmative and 51 voted in the negative, with 24 being absent, and accordingly the Resolve **FAILED FINAL PASSAGE** and was sent to the Senate.

Emergency Measure

Resolve, To Extend Funding to Maine Veterans' Homes during the COVID-19 Pandemic

(H.P. 450) (L.D. 614)
(C. "A" H-448)

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. 116 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, To Encourage Employment in the Direct Care Workforce

(H.P. 642) (L.D. 886)
(C. "A" H-473)

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 20 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Reduce the Landfilling of Municipal Solid Waste

(H.P. 23) (L.D. 57)
(C. "A" H-442)

An Act To Establish Ongoing Absentee Voting

(H.P. 104) (L.D. 148)
(C. "A" H-459)

An Act To Address Licensure of Behavioral Health Practice in the State

(H.P. 212) (L.D. 299)
(C. "A" H-485)

An Act To Enact the Maine Uniform Trust Decanting Act

(H.P. 306) (L.D. 422)
(C. "A" H-445)

An Act To Provide Funding for the Maine Outdoor Heritage Fund Program

(H.P. 750) (L.D. 1012)
(C. "A" H-195; H. "A" H-420)

An Act To Implement the Recommendations of the Stakeholder Group Convened by the Emergency Medical Services' Board Related to Reimbursement Rates for Ambulance Services by Health Insurance Carriers and To Improve Participation of Ambulance Service Providers in Carrier Networks

(H.P. 925) (L.D. 1258)
(C. "A" H-486)

An Act To Establish the Career Advancement and Navigation Initiative in the Department of Education To Lower Barriers to Career Advancement

(H.P. 981) (L.D. 1329)
(C. "A" H-449)

An Act To Improve the Efficiency of Certain Consumer Credit Protection Laws

(H.P. 1082) (L.D. 1466)
(C. "A" H-483)

An Act To Improve and Modernize Home-based Care

(H.P. 1148) (L.D. 1543)
(C. "A" H-491)

An Act To Amend the Law Governing MaineCare Coverage of Chiropractic Treatment

(H.P. 1158) (L.D. 1553)
(C. "A" H-443)

An Act To Improve Maine's Election Laws

(H.P. 1172) (L.D. 1575)
(C. "A" H-460)

An Act To Ensure Equity in the Membership of the Marijuana Advisory Commission

(H.P. 1178) (L.D. 1589)
(C. "A" H-465)

An Act To Integrate African American Studies and the History of Genocide into the Statewide System of Learning Results

(H.P. 1235) (L.D. 1664)
(C. "A" H-424)

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

Resolves

Resolve, Directing the Department of Education To Develop a Process for the Consideration and Implementation of Changes to Mandated Instruction or Training for Students

(H.P. 194) (L.D. 278)
(C. "A" H-450)

Resolve, To Improve Air Quality and Ventilation in Maine's Public Schools

(H.P. 517) (L.D. 705)
(C. "A" H-455)

Resolve, Directing the Department of Education To Study Disciplinary Policies

(H.P. 652) (L.D. 896)
(C. "A" H-458)

Resolve, To Require Continued MaineCare Reimbursement to Nursing Facilities for Bed Hold Days during Hospitalizations and Therapeutic Leaves of Absence

(H.P. 875) (L.D. 1197)
(C. "A" H-446)

Resolve, Directing the Department of Education To Study the Use of Homework in Public Schools

(H.P. 1017) (L.D. 1383)
(C. "A" H-456)

Resolve, Directing the Department of Education To Conduct an Analysis of Representation on Educational Boards

(H.P. 1025) (L.D. 1391)
(C. "A" H-457)

Resolve, Regarding Reimbursement for Providing Inpatient Care to Individuals with Acute Mental Health Care Needs

(H.P. 1086) (L.D. 1470)
(C. "A" H-447)

Resolve, To Analyze the Impact of Sea Level Rise

(H.P. 1169) (L.D. 1572)
(C. "A" H-480)

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

ENACTORS

Emergency Measure

Resolve, To Reestablish the Commission To Study College Affordability and College Completion

(S.P. 108) (L.D. 247)

(C. "A" S-202)

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. 101 voted in favor of the same and 16 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act Regarding Rural Water Districts

(S.P. 106) (L.D. 245)

(C. "A" S-198)

An Act To Establish a Conditional Presumption of Compensability for Certain Employees in Cases of Impairment from Hypertension or Heart Disease

(S.P. 228) (L.D. 575)

(C. "A" S-73)

An Act To Establish a Program To Assist Regional Firefighter Training Programs, To Provide Tax Credits to Businesses That Employ Volunteer Firefighters and Emergency Medical Services Persons and To Provide Benefits to Volunteer Firefighters and Emergency Medical Services Persons

(S.P. 283) (L.D. 731)

(C. "A" S-187)

An Act Regarding Career and Technical Education, Adult Education and Memoranda of Understanding with Community Colleges and the University of Maine System

(S.P. 340) (L.D. 1072)

(C. "A" S-201)

An Act To Update the Statutes Governing Membership of the Board of Trustees of the Maine Veterans' Homes

(S.P. 373) (L.D. 1111)

(C. "A" S-194)

An Act To Update and Improve the MaineEARNs Database and Reconvene the State Education and Employment Outcomes Task Force

(S.P. 462) (L.D. 1412)

(C. "A" S-190)

An Act To Provide Equity in the State Income Tax Deduction for Certain Public Employees Retirement System Pensions

(S.P. 463) (L.D. 1413)

(C. "A" S-147)

An Act To Support Maine Students Who Are Dependents of Current or Former Members of the Military

(S.P. 557) (L.D. 1705)

(C. "A" S-189)

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

Resolves

Resolve, Directing the Maine Public Employees Retirement System To Convene a Working Group To Investigate Public Pension Options

(S.P. 366) (L.D. 1105)

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

CONSENT CALENDAR

First Day

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

(H.P. 91) (L.D. 135) Bill "An Act To Address Issues in Funding Prekindergarten Programs" Committee on

EDUCATION AND CULTURAL AFFAIRS reporting **Ought to Pass as Amended by Committee Amendment "A" (H-496)**

(H.P. 724) (L.D. 978) Bill "An Act To Create an Access to Justice Income Tax Credit" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-497)**

(H.P. 1066) (L.D. 1450) Bill "An Act To Provide Fairness in Communications from Pharmacy Benefits Managers" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-493)**

(H.P. 1189) (L.D. 1600) Bill "An Act To Investigate Perfluoroalkyl and Polyfluoroalkyl Substance Contamination of Land and Groundwater" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-494)**

(H.P. 1192) (L.D. 1603) Bill "An Act To Implement the Recommendations of the Committee To Study the Feasibility of Creating Basic Income Security" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-495)**

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

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

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

(S.P. 397) (L.D. 1224) Bill "An Act To Authorize Remote Participation in Maine State Cultural Affairs Council Meetings" Committee on **JUDICIARY** reporting **Ought to Pass**

(S.P. 151) (L.D. 368) Bill "An Act To Amend the Laws Governing Proof of Financial Responsibility with Respect to Motor Vehicles" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-208)**

(S.P. 117) (L.D. 803) Bill "An Act Regarding Violation of a Protective Order" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-204)**

(S.P. 296) (L.D. 882) Bill "An Act To Amend the Maine Medical Use of Marijuana Act" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-213)**

(S.P. 385) (L.D. 1122) Bill "An Act To Promote Public Safety by Allowing Lighted Signs on Certain Vehicles" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-214)**

(S.P. 423) (L.D. 1317) Bill "An Act To Regulate Insurance Carrier Concurrent, Prepayment and Postpayment Review" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-207)**

(S.P. 531) (L.D. 1646) Bill "An Act To Amend the Occupational Therapy Licensing Statutes" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-206)**

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

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

(S.P. 301) (L.D. 949) Resolve, To Restore the MaineCare Nursing Facility COVID-19 Temporary Rate Increase (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-205)**

On motion of Representative DILLINGHAM of Oxford, 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.

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

(S.P. 413) (L.D. 1293) Bill "An Act To Improve Access to Certain Injectable Medications for Treatment of Mental Illness and Substance Use Disorder" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-220)**

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

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

(H.P. 1278) (L.D. 1723) Bill "An Act Regarding Winter Maintenance on Private Roads in the Town of Windham" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-503)**

On motion of Representative BRYANT of Windham, was **REMOVED** from the First Day Consent Calendar.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-503)** was **READ** by the Clerk.

Representative BRYANT of Windham **PRESENTED House Amendment "A" (H-526) to Committee Amendment "A" (H-503)**, which was **READ** by the Clerk.

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

Representative **BRYANT**: Thank you, Mr. Speaker. This is a unanimous report. This just transfers the responsibility of the environmental concerns to the town of Windham as opposed

to DEP and that's the basics of my amendment of our Unanimous Committee Report.

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

Representative **TUELL**: Thank you, Mr. Speaker. I rise to support my good friend from Windham on this bill. I know he and my other good friend from Windham worked really hard on it, as did a Member of the other Body in getting this bill to a position where we could get unanimous support. Along the way, the Representatives from Windham made it clear that they had this amendment, were very upfront, very honorable, very open about it, and I think this is a great opportunity and would also encourage you to support this so this bill and this issue can move forward. Thank you, Mr. Speaker.

Subsequently, **House Amendment "A" (H-526) to Committee Amendment "A" (H-503)** was **ADOPTED**.

Committee Amendment "A" (H-503) as Amended by House Amendment "A" (H-526) 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-503) as Amended by House Amendment "A" (H-526)** thereto and sent for concurrence.

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

ENACTORS

Emergency Measure

An Act To Stop Perfluoroalkyl and Polyfluoroalkyl Substances Pollution

(H.P. 1113) (L.D. 1503)

(C. "A" H-432)

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. 105 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Regarding the Qualifications for Licensure as a Physician or Surgeon

(H.P. 1212) (L.D. 1629)

(C. "A" H-431)

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. 107 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Require the State To Divest Itself of Assets Invested in the Fossil Fuel Industry

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

(C. "A" H-337)

An Act To Make Technical Changes to the Tax Laws

(H.P. 97) (L.D. 141)
(C. "A" H-439)

An Act To Promote Socially Responsible Investing by the Maine Public Employees Retirement System by Prohibiting Investment in For-profit Prisons

(H.P. 223) (L.D. 319)
(C. "A" H-233)

An Act To Promote Public Health by Eliminating Criminal Penalties for Possession of Hypodermic Apparatuses

(H.P. 732) (L.D. 994)
(C. "A" H-240)

An Act To Allow Microgrids That Are in the Public Interest

(H.P. 782) (L.D. 1053)
(C. "A" H-425)

An Act To Exempt Certain Disabled Veterans from the Motor Vehicle Excise Tax

(H.P. 871) (L.D. 1193)
(C. "A" H-437)

An Act To Provide for Exemption from the Sales Tax for Menstrual Products

(H.P. 986) (L.D. 1335)
(C. "A" H-433)

An Act To Allow Certain Veterans' Organizations To Be Billed for Electricity Usage at the Same Rate as Residential Customers and To Require the Public Utilities Commission To Consider Rate Design Modifications

(H.P. 1047) (L.D. 1431)
(C. "A" H-427)

An Act To Update the Municipal Gigabit Broadband Network Access Fund

(H.P. 1048) (L.D. 1432)
(C. "A" H-426)

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

Resolves

Resolve, To Require a Review of Property Tax Assessment of Energy Efficiency Improvements

(H.P. 132) (L.D. 179)
(C. "A" H-438)

Resolve, To Establish an Advisory Panel To Study the Implications of Genome-editing Technology for the Citizens of the State

(H.P. 1190) (L.D. 1601)
(C. "A" H-413)

Resolve, To Strengthen Maine's Workforce by Expanding English Language Acquisition and Workforce Training Programs

(H.P. 1253) (L.D. 1684)
(C. "A" H-423)

Was 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**.

CONSENT CALENDAR

First Day

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

(S.P. 203) (L.D. 819) Bill "An Act To Reduce Lung Cancer Rates in Maine by Requiring Testing for and Mitigation of Radon in Residential Buildings by Landlords" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-228)**

(S.P. 295) (L.D. 881) Bill "An Act To Make Technical Changes to the Maine Medical Use of Marijuana Act" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-231)**

(S.P. 310) (L.D. 958) Resolve, Directing the Department of Health and Human Services To Conduct a Review of Rules Governing In-home Personal Care Assistance Services Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-227)**

(S.P. 374) (L.D. 1112) Resolve, To Classify Employee Health Insurance as a Fixed Cost for MaineCare Reimbursement in Nursing Homes Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-226)**

(S.P. 541) (L.D. 1680) Bill "An Act To Amend Legislative Expenses Reimbursement and Allowances" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-230)**

(H.P. 889) (L.D. 1214) Bill "An Act To Require Vehicle Safety within the Funeral Industry" Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-516)**

(H.P. 1281) (L.D. 1731) Bill "An Act To Create the Belgrade Water District" (EMERGENCY) Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-517)**

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

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

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

ENACTORS

Acts

An Act To Create Appropriate Standards for the Secretary of State To Follow When Approving the Assignments of Vanity Registration Plates

(S.P. 65) (L.D. 130)
(C. "A" S-192)

An Act To Establish Semi-open Primaries

(S.P. 99) (L.D. 231)
(C. "A" S-195)

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

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

ENACTORS

Acts

An Act To Amend the Transportation Laws

(H.P. 811) (L.D. 1133)

(C. "A" H-414)

An Act To Provide Equity in the State Income Tax Deduction for Certain Public Employees Retirement System Pensions

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

(C. "A" H-321)

An Act To Maximize Service to Students by Adopting Conditional Allowances for Participation by Families of School Board Members in School Activities

(H.P. 975) (L.D. 1323)

(C. "B" H-430)

Resolve, To Study and Recommend Improvements to Maine's Dam Safety

(H.P. 1102) (L.D. 1488)

(H. "A" H-470 to C. "A" H-436)

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

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

The SPEAKER: The Chair recognizes the Representative from Montville, Representative Zeigler.

Representative **ZEIGLER**: Mr. Speaker, I request unanimous consent to address the House on the record.

The SPEAKER: The Representative has requested unanimous consent to address the House on the record. Hearing no objection, the Representative may proceed on the record.

Representative **ZEIGLER**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, had I been present for Roll Call No. 168, LD 1114, I would have voted to Accept the Majority Ought to Pass as Amended Report. Had I been present for Roll Call No. 169, LD 1679, Accept Majority Ought to Pass as Amended Report.

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

Representative **KINNEY**: Thank you, Mr. Speaker. The first thing I'd like to say is the scripts on the Paperless Chamber probably should be changed to say Mr. Speaker, not Madam Speaker, So, Mr. Speaker, I request unanimous consent to address the House on the record.

The SPEAKER: The Representative from Knox, Representative Kinney has requested unanimous consent to address the House on the record. Hearing no objection, the Representative may proceed on the record.

Representative **KINNEY**: Thank you, Mr. Speaker. In reference to Roll Call No. 215 on LD 1253, had I been present, I would have voted nay. In reference to Roll Call No. 214 on LD 1496, had I been present, I would have voted nay. In reference to Roll Call No. 213 on LD 729, had I been present, I would have voted nay. In reference to Roll Call No. 212 on LD 923, had I

been present, I would have voted nay. In reference to Roll Call No. 211 on LD 927, had I been present, I would have voted nay. In reference to Roll Call No. 210 on LD 125, had I been present, I would have voted nay. In reference to Roll Call No. 209 on LD 194, had I been present, I would have voted yea. In reference to Roll Call No. 208 on LD 286, had I been present, I would have voted nay. And in reference to Roll Call 207 on LD 286, had I been present, I would have voted nay.

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

On motion of Representative ZEIGLER of Montville, the House adjourned at 8:05 p.m., until 10:00 a.m., Thursday, June 10, 2021, in honor and lasting tribute to Gloria Michaud Thornton, of Milford.