

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
10th Legislative Day
Tuesday, June 15, 2021

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

Prayer by Dr. Steve Smith, Orono.

National Anthem by Dr. Steve Smith, Orono.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

SENATE PAPERS

Non-Concurrent Matter

An Act To Protect Data Privacy and Security in Elections (EMERGENCY)

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

(C. "A" H-513)

FAILED of **PASSAGE TO BE ENACTED** in the House on June 14, 2021.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-513) AS AMENDED BY SENATE AMENDMENT "A" (S-266)** thereto in **NON-CONCURRENCE**.

Speaker FECTION of Augusta moved that the House **RECEDE AND CONCUR**.

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

Representative **EVANGELOS**: Mr. Speaker, this isn't a reflection on you; I think you're doing a fine job. In fact, you're doing an unbelievable job, the way you're going through everything, but this is a health and safety issue. *Sine die* died on March 30th and there's no excuse for the way we're operating. It's a health and safety issue. Deer are out on the roads at night, there are people in this chamber sick and we should be moderating our schedule so we can all do a good job here. We're not doing our best work because of the way we're being pressed and pushed. The caucuses are lasting way too long and multiple speakers from the parties are repeating themselves, maybe you could designate one speaker from each caucus but, this is not sustainable and I'm asking the leadership to get together and allow us to spend a few days to do good work. I'm pleading with you. Because someone's going to get hurt, someone's going to fall asleep driving home. And it's not okay what we're doing and there isn't an employer in this State would get away with what's going on here. It would go right to the Department of Labor for a complaint. So, there is no *sine die*, so the imposition of an artificial deadline, whether it be Wednesday, Friday or whenever, is unreasonable when we have so many bills left to handle. So I want you to please consider that. Again, I think you're doing a great job; it's unbelievable what you're doing up there under the circumstances, but this is an institutional issue and I hope you'll take it up and respond to us at some point. Thank you.

The SPEAKER: The Chair would remind the Member that the pending question before the House is the non-concurrent matter.

Subsequently, the House voted to **RECEDE AND CONCUR**.

Non-Concurrent Matter

Bill "An Act To End the Maine Information and Analysis Center Program"

(H.P. 938) (L.D. 1278)

Minority (4) **OUGHT TO PASS AS AMENDED** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-229)** in the House on June 14, 2021.

Came from the Senate with the Majority (9) **OUGHT NOT TO PASS** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act To Establish Appliance Energy and Water Standards"

(H.P. 696) (L.D. 940)

Majority (8) **OUGHT TO PASS AS AMENDED** Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-298)** in the House on June 3, 2021.

Came from the Senate with the Majority (8) **OUGHT TO PASS AS AMENDED** Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-298) AS AMENDED BY SENATE AMENDMENT "A" (S-267)** thereto in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

Non-Concurrent Matter

Bill "An Act To Protect the Firearm Use and Possession Rights of Maine Citizens during an Emergency" (EMERGENCY)

(H.P. 781) (L.D. 1052)

Majority (8) **OUGHT NOT TO PASS** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** in the House on June 8, 2021.

Came from the Senate with the Minority (5) **OUGHT TO PASS** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED** in **NON-CONCURRENCE**.

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

Representative ANDREWS of Paris moved that the House **RECEDE AND CONCUR**.

The same Representative **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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 to Recede and Concur. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 275

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

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

ABSENT - Arata, Bickford, Bradstreet, Doore, Fecteau, Grignon, Grohoski, Martin, Perry, Prescott, Roche, Sharpe, White.

Yes, 65; No, 73; Absent, 13; Excused, 0.

65 having voted in the affirmative and 73 voted in the negative, with 13 being absent, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

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

Non-Concurrent Matter

Bill "An Act To Create the Small Business Capital Savings Account Program"

(S.P. 537) (L.D. 1650)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-245)** in the House on June 14, 2021.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Minority (6) **OUGHT NOT TO PASS** Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** was **READ** and **ACCEPTED** and **ASKED** for a Committee of Conference in **NON-CONCURRENCE**.

The House voted to **INSIST**.

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

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

COMMUNICATIONS

The Following Communication: (H.C. 176)

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

June 15, 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 bill out "Ought Not to Pass:"

Judiciary

L.D. 398

An Act To Implement Recommendations of the Sixth Amendment Center Concerning Indigent Legal Services

Sincerely,

S/Robert B. Hunt

Clerk of House

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

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

ORDERS

On motion of Representative TALBOT ROSS of Portland, the following Joint Resolution: (H.P. 1286) (Cospponsored by Senator CARNEY of Cumberland and Representatives: BAILEY of Gorham, BROOKS of Lewiston, CAIAZZO of Scarborough, CRAVEN of Lewiston, EVANS of Dover-Foxcroft, SYLVESTER of Portland, WARREN of Scarborough, Senator: BRENNER of Cumberland)

**JOINT RESOLUTION RECOGNIZING
IMMIGRANT HERITAGE MONTH**

WHEREAS, since 2014, Immigrant Heritage Month has provided an opportunity for people across the United States to celebrate their own immigrant heritage, the contributions of their immigrant neighbors and the diversity of our country; and

WHEREAS, over 47,000 Maine residents were born in other countries and over 90,000 Maine residents were born in the United States to at least one immigrant parent; and

WHEREAS, immigrants are integral to Maine's future success and are leaders in municipal governments, schools, businesses, nonprofit organizations, community centers and religious institutions across the State; and

WHEREAS, Maine's immigrant communities contribute to the prosperity and strength of virtually every sector in Maine's economy; and

WHEREAS, immigrants contribute to Maine in every aspect of culture, including literature, art, music, cuisine, customs and more; and

WHEREAS, many of Maine's immigrants left their home countries due to conflict, economic hardship and infringements on their civil rights and liberties; and

WHEREAS, both the United States Constitution and the Constitution of Maine recognize and protect the inherent rights of all people, including citizen and noncitizen immigrants; and

WHEREAS, as a state, Maine must uphold the United States Constitution and the Constitution of Maine by preserving

and defending the rights of all persons on our nation's soil; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirtieth Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to recognize June 2021 as Immigrant Heritage Month in Maine; and be it further

RESOLVED: That We celebrate the countless and monumental contributions of Maine's immigrants to our state and nation.

READ.

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

Representative **HYMANSON**: Thank you, Mr. Speaker, Men and Women of the House. All four of my grandparents came from Italy, didn't speak any English. My mother and my father's family were big Italian families. They were all in the trades, all my cousins, many of them, went to college. I went to medical school, treated many people in the State of Maine for the 35 years I've lived in Maine and now I'm in the House. So, my grandparents, I know, would be very proud of me, it's what they were looking for when they made the boat trip from Italy to New York and to Boston. I'm proud of my heritage and I appreciate this joint resolution recognizing Immigrant Heritage Month. Thank you.

Subsequently, the Joint Resolution was **ADOPTED**. Sent for concurrence.

On motion of Representative MADIGAN of Waterville, the following Joint Order: (H.P. 1287)

ORDERED, the Senate concurring, that Bill, "Resolve, To Create a Health Care Ombudsman Position To Serve in Maine's County Jails," H.P. 747, L.D. 1009, and all its accompanying papers, be recalled from the Governor's desk to the House.

READ and PASSED.
Sent for concurrence.

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

REPORTS OF COMMITTEE
Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-120)** on Bill "An Act To Ban the Surveillance of Firearm Purchases"

(S.P. 299) (L.D. 884)

Signed:
Senators:

DESCHAMBAULT of York
CYRWAY of Kennebec

Representatives:

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

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

Signed:

Senator:

LAWRENCE of York

Representatives:

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

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-120)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-120)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-120)** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-258)** on Bill "An Act To Allow Maine Nonprofit Corporations To Hold Meetings Electronically"

(S.P. 271) (L.D. 683)

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 as Amended by Committee Amendment "B" (S-259)** on same Bill.

Signed:

Senator:

KEIM of Oxford

Representatives:

LIBBY of Auburn
POIRIER of Skowhegan
THORNE of Carmel

Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (S-258)** Report.

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-258)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-258)** 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-258)** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-257)** on Bill "An Act To Prevent Homelessness by Establishing an Eviction Mediation Program" (S.P. 485) (L.D. 1508)

Signed:

Senators:

CARNEY of Cumberland
SANBORN of Cumberland

Representatives:

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

Minority Report of the same Committee reporting **Ought Not to Pass** on same 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 to Pass as Amended by Committee Amendment "A" (S-257)** Report.

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-257) AS AMENDED BY SENATE AMENDMENT "A" (S-265)** thereto.

READ.

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

Representative HAGGAN of Hampden **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 Buxton, Representative Blier.

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

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

Representative **BLIER**: The question to the Chair is that is this going to be a one-step process in order to facilitate the wording of the bill?

The **SPEAKER**: The Representative from Buxton, Representative Blier has posed a question to any member who may care to respond. The Chair recognizes the Representative from Gardiner, Representative Harnett.

Representative **HARNETT**: The bill has been amended significantly and I would also point out that the other Body has removed the fiscal note in its entirety and I'm happy to explain the bill as well.

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

Representative **BLIER**: Same question; is this going to be a one-step process or is the docking, the mediation and the forceable entry be three steps? That's the question.

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

Representative **HARNETT**: Thank you, Mr. Speaker. I will explain what the bill does. The bill provides to a respondent in a forceable entry and detainer action to have a two-page notice provided by the landlord or the petitioner when he/she files a forceable entry and detainer action. It requires the following information be provided; a description of the court procedure to be followed in the case including a clear explanation of the process that must be followed before a tenant is required to vacate a rental unit, a statement that the failure to appear at any scheduled status conference or hearing may result in the entry of judgment in favor of the landlord which would require the tenant to leave the rental unit, provide a list of rental assistance programs available to residential tenants, a list of resources that provide legal information and representation available to residential tenants, a list of resources that provide housing counseling available to residential tenants, a statement that either party may request or the court may at any time refer the parties to mediation on any issue and a court-approved form to request mediation. The bill is designed to reduce the number of evictions, to increase the number of cases that can be mediated to a joint resolution and it will result in fewer people losing their homes and fewer landlords having to evict individuals. The bill does not change the eviction process, it simply ensures that someone who is facing an eviction is informed of their rights in the process. This helps to provide transparency in the eviction process and it does not impose a burden on the landlord; they simply need to attach the document provided by the court to their eviction notice. I ask you to support the pending motion.

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

Representative **BLIER**: Mr. Speaker, thank you very much for allowing me to rise. I've read the bill, I understand what the Good Representative from Gardiner is stating, but the bill is unclear if this is going to be a three-step process or a one-step process, which it is currently. So, at this point, until we can clarify that I make a motion we Table until later in today's session.

Representative **BLIER** of Buxton moved that the Bill be **TABLED** until later in today's session pending the motion of Representative HARNETT of Gardiner to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative **DUNPHY** of Old Town **REQUESTED** a roll call on the motion to **TABLE** the Bill until later in today's session pending the motion of Representative HARNETT of Gardiner 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 to Table the Bill until later in today's session pending the motion of Representative HARNETT of Gardiner to ACCEPT the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 276

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

NAY - Alley, 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, Johansen, 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, Tuttle, Warren, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

ABSENT - Arata, Bradstreet, Grignon, Martin, Prescott, Roche, Sharpe, Tucker.

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

62 having voted in the affirmative and 81 voted in the negative, with 8 being absent, and accordingly the motion to **TABLE** the Bill until later in today's session pending the motion of Representative HARNETT of Gardiner to **ACCEPT** Majority Ought to Pass as Amended Report **FAILED**.

The SPEAKER: A roll call having been previously 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. 277

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, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Austin, Bernard, Bickford, Blier, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway,

Parry, Perkins, Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Arata, Bradstreet, Grignon, Martin, Prescott, Roche, Sharpe, Tucker.

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" (S-257)** was **READ** by the Clerk.

Senate Amendment "A" (S-265) to **Committee Amendment "A" (S-257)** was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (S-257) as Amended by **Senate Amendment "A" (S-265)** thereto was **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED** as Amended by **Committee Amendment "A" (S-257)** as Amended by **Senate Amendment "A" (S-265)** thereto in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act Clarifying the Acceptance of Public Funding by Community Benefit Organizations"

(S.P. 293) (L.D. 879)

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 as Amended by Committee Amendment "A" (S-260)** 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.

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

READ.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-261)** on Bill "An Act To Prevent Discrimination against Domestic Violence Victims"

(S.P. 422) (L.D. 1294)

Signed:

Senators:

CARNEY of Cumberland
SANBORN of Cumberland

Representatives:

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

Minority Report of the same Committee reporting **Ought Not to Pass** on same 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 to Pass as Amended by Committee Amendment "A" (S-261)** Report.

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-261)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-261)** 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-261)** in concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act To Allow Municipalities To Prohibit Firearms at Voting Places"

(S.P. 123) (L.D. 805)

Signed:

Senators:

BALDACCI of Penobscot
ROSEN of Hancock

Representatives:

DOORE of Augusta
DOWNES of Bucksport
GREENWOOD of Wales

HEAD of Bethel

TUELL of East Machias

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-80)** on same Bill.

Signed:

Senator:

CLAXTON of Androscoggin

Representatives:

MATLACK of St. George
BRYANT of Windham
COPELAND of Saco
PAULHUS of Bath
RISEMAN of Harrison

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

READ.

On motion of Representative MATLACK of St. George, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-616)** on Bill "An Act To Implement the Recommendations of the Maine Juvenile Justice System Assessment and Reinvestment Task Force" (EMERGENCY)

(H.P. 391) (L.D. 546)

Signed:

Senators:

DESCHAMBAULT of York
CYRWAY of Kennebec

Representatives:

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

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

Signed:

Representative:

LOOKNER of Portland

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-616)** 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-616)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-619)** on Bill "An Act To Create Culturally Sensitive Treatment and Recovery Halfway Houses for Immigrants Transitioning out of the Juvenile Justice System"

(H.P. 709) (L.D. 963)

Signed:
Senator:

LAWRENCE of York

Representatives:

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

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

Signed:
Senators:

DESCHAMBAULT of York
CYRWAY of Kennebec

Representatives:

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

READ.

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-615)** on Bill "An Act To Improve Access to Medical Care for and Expand the Rights of Adult Clients of State Correctional Facilities"

(H.P. 1245) (L.D. 1674)

Signed:
Senators:

DESCHAMBAULT of York
LAWRENCE of York

Representatives:

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

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

Signed:

Senator:

CYRWAY of Kennebec

Representative:

RUDNICKI of Fairfield

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-615)** 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-615)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Require a Course Regarding the United States Constitution and the Constitution of Maine To Be Taught to High School Seniors"

(H.P. 864) (L.D. 1186)

Signed:

Senators:

RAFFERTY of York
DAUGHTRY of Cumberland
WOODSOME of York

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-613)** on same Bill.

Signed:

Representative:

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 **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act To Facilitate the Recycling of Clean Energy Equipment" (H.P. 656) (L.D. 900)

Signed:

Senators:

LAWRENCE of York
STEWART of Aroostook
VITELLI of Sagadahoc

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-617)** on same Bill.

Signed:

Representative:

FOSTER of Dexter

READ.

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

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

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-612)** on Bill "An Act To Reauthorize a 3 Percent Tax on Income over \$200,000 To Lift All Maine Workers out of Poverty" (H.P. 361) (L.D. 498)

Signed:

Senators:

CHIPMAN of Cumberland
LIBBY of Androscoggin

Representatives:

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

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

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

READ.

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

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Establish a Sales Tax Holiday To Help Maine Businesses Affected by the COVID-19 Pandemic" (H.P. 1015) (L.D. 1381)

Signed:

Senators:

CHIPMAN of Cumberland
LIBBY of Androscoggin
POULIOT of Kennebec

Representatives:

TERRY of Gorham
CARMICHAEL of Greenbush
GRAMLICH of Old Orchard Beach
MATLACK of St. George
SACHS of Freeport

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-614)** on same Bill.

Signed:

Representatives:

BICKFORD of Auburn
COLLINGS of Portland
KRYZAK of Acton

READ.

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

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

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

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

Representative **MORRIS**: Thank you, Mr. Speaker. I rise in opposition to the pending motion. I understand this is generally a perennial bill, but I think this time might be the right time to enact something like this. The last year, we have seen our small business community, particularly those that own retail as well as our hospitality industry has taken a hit. Particularly, last summer, they lost a lot because of the tourism season because of the COVID-19 pandemic. This is one way to help them out by allowing them to have a sales tax holiday on Indigenous Peoples Day weekend in October. This will extend the summer sale season. It also will help consumers by allowing them to have one weekend where they can shop tax-free just in advance of the Christmas season.

So, I hope you will follow my light and vote down 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. 278

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

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

ABSENT - Arata, Bradstreet, Grignon, Martin, Prescott, Roche, Sharpe, Tucker.

Yes, 78; No, 65; Absent, 8; Excused, 0.

78 having voted in the affirmative and 65 voted in the negative, with 8 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

CONSENT CALENDAR

First Day

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

(S.P. 64) (L.D. 129) Resolve, To Protect Consumers of Public Drinking Water by Establishing Maximum Contaminant Levels for Certain Substances and Contaminants Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-264)**

(H.P. 771) (L.D. 1043) Bill "An Act Concerning the Unannounced Execution of Search Warrants" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass**

(H.P. 351) (L.D. 477) Bill "An Act To Allow for Fair Restitution by Providing That Restitution Does Not Include the Cost of Analysis of Suspected Illegal Drugs" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-607)**

(H.P. 1111) (L.D. 1501) Bill "An Act To Protect Oral Health for Children in Maine" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-618)**

(H.P. 1174) (L.D. 1585) Bill "An Act To Increase Privacy and Security by Prohibiting the Use of Facial Surveillance by Certain Government Employees and Officials" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-620)**

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

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

ENACTORS

Emergency Measure

An Act To Implement the Recommendations of the Commission To Study Long-term Care Workforce Issues (H.P. 1170) (L.D. 1573) (C. "A" H-563)

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. 117 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 Establish the Accidental Drug Overdose Death Review Panel (H.P. 1273) (L.D. 1718)

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.

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

Acts

An Act To Combat Hunger by Creating an Income Tax Credit of up to \$5,000 Annually for Businesses Engaged in Food Production for Donations to Tax-exempt Organizations (H.P. 183) (L.D. 262) (C. "A" H-564)

An Act To Strengthen the Ability of Public Employers and Teachers' Unions To Negotiate (H.P. 325) (L.D. 449) (H. "A" H-540)

An Act To Change the Standard for Taking a Person into Protective Custody (H.P. 590) (L.D. 785) (C. "A" H-562)

An Act Regarding the State Employee Health Commission (H.P. 967) (L.D. 1311) (C. "A" H-565)

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 Study Maine's Motor Vehicle Inspection Program

(H.P. 200) (L.D. 284)
(C. "A" H-566)

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**.

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 yesterday with such preference until disposed of as provided by House Rule 502.

HOUSE DIVIDED REPORT - Majority (12) **Ought Not to Pass** - Minority (1) **Ought to Pass as Amended by Committee Amendment "A" (H-255)** - Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Allow the Citizens of the State To Elect the Secretary of State, Treasurer of State and Attorney General

TABLED - June 2, 2021 (Till Later Today) by Representative MATLACK of St. George.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

(H.P. 756) (L.D. 1018)

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. 279

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, Hasenfuls, Hepler, Hymanson, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, Morris, 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, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

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

ABSENT - Arata, Bradstreet, Grignon, Perkins, Prescott, Roche, Sharpe, Tucker.

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

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

HOUSE DIVIDED REPORT - Majority (11) **Ought Not to Pass** - Minority (2) **Ought to Pass as Amended by Committee Amendment "A" (H-204)** - Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Popular Election of the Attorney General

(H.P. 785) (L.D. 1056)

TABLED - June 2, 2021 (Till Later Today) by Representative MATLACK of St. George.

PENDING - Motion of same Representative to **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. 280

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, Hasenfuls, 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, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Arata, Bradstreet, Grignon, Perkins, Prescott, Roche, Sharpe, Tucker.

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

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

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

HOUSE DIVIDED REPORT - Majority (11) **Ought Not to Pass** - Minority (2) **Ought to Pass as Amended by Committee Amendment "A" (H-212)** - Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Popular Election of the Treasurer of State

(H.P. 787) (L.D. 1058)

TABLED - June 2, 2021 (Till Later Today) by Representative MATLACK of St. George.

PENDING - Motion of same Representative to **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. 281

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, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Arata, Bradstreet, Griffin, Grignon, Perkins, Prescott, Roche, Sharpe, Tucker.

Yes, 82; No, 60; Absent, 9; Excused, 0.

82 having voted in the affirmative and 60 voted in the negative, with 9 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

HOUSE DIVIDED REPORT - Report "A" (6) **Ought Not to Pass** - Report "B" (4) **Ought to Pass as Amended by Committee Amendment "A" (H-258)** - Report "C" (1) **Ought to Pass as Amended by Committee Amendment "B" (H-259)** - Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act To Let the Citizens of the State Choose Their State Auditor" (H.P. 755) (L.D. 1017)

TABLED - June 2, 2021 (Till Later Today) by Representative MATLACK of St. George.

PENDING - Motion of same Representative to **ACCEPT** Report "A" **OUGHT NOT TO PASS**.

Representative TUELL of East Machias **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought Not to Pass**.

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 Not to Pass. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 282

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

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

ABSENT - Arata, Bradstreet, Cuddy, Grignon, Perkins, Prescott, Roche, Sharpe, Tucker.

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 Not to Pass** was **ACCEPTED** and sent for concurrence.

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

SENATE DIVIDED REPORT - Majority (12) **Ought Not to Pass** - Minority (1) **Ought to Pass as Amended by Committee Amendment "A" (S-109)** - Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require Constitutional Officers To Be Elected by Statewide Election

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

- In Senate, Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

TABLED - June 3, 2021 (Till Later Today) by Representative MATLACK of St. George.
PENDING - Motion of same Representative to **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. 283

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, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Arata, Bradstreet, Grignon, Hanley, Perkins, Prescott, Roche, Sharpe, Tucker.

Yes, 82; No, 60; Absent, 9; Excused, 0.

82 having voted in the affirmative and 60 voted in the negative, with 9 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

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

HOUSE DIVIDED REPORT - Majority (11) **Ought Not to Pass** - Minority (2) **Ought to Pass as Amended by Committee Amendment "A" (H-295)** - Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Provide for the Popular Election of the Secretary of State

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

TABLED - June 3, 2021 (Till Later Today) by Representative MATLACK of St. George.

PENDING - Motion of same Representative to **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. 284

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, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Arata, Bradstreet, Grignon, Hanley, Perkins, Prescott, Roche, Sharpe, Tucker.

Yes, 82; No, 60; Absent, 9; Excused, 0.

82 having voted in the affirmative and 60 voted in the negative, with 9 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

SENATE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (S-108)** - Minority (5) **Ought Not to Pass** - Committee on **STATE AND LOCAL GOVERNMENT** on RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require the Popular Election of Maine Constitutional Officers

(S.P. 288) (L.D. 874)

- In Senate, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the RESOLUTION **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-108) AND SENATE AMENDMENT "B" (S-250)**.

TABLED - June 14, 2021 (Till Later Today) by Representative DUNPHY of Old Town.

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

Representative TUELL of East Machias **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 East Machias, Representative Tuell.

Representative **TUELL**: Thank you, Mr. Speaker. The motion before us presents the Body with the opportunity to put out to the voters an opportunity to elect our constitutional officers with a plurality vote. That is to say, our Attorney General, Treasurer and Secretary of State. As a committee, we came together across party lines to achieve this result and I believe that it's something that Maine voters want and I believe they also would like to have a clean bill in doing so. That is why I'm rising in favor of the motion before us. Thank you, Mr. Speaker.

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

Representative **BAILEY**: Thank you, Mr. Speaker. I was opposed to the original version of LD 874 because I thought it fell short of what Maine voters have expressed multiple times at the ballot box with regards to their preferences for the process of electing their leaders. However, I believe in trying to find common ground. I believe in listening to those with whom I disagree because I have something to learn from them. And I believe in compromise, not in my principles, but of policy, in order to move issues forward. That's the job. It's the expectation of voters from across the political spectrum that they have for us. For these reasons, I now rise to switch my position and to speak in support of the pending motion, Ought to Pass as Amended. LD 874 as amended by amendments "A" and "B" is compromise between the wants of the original proponents and opponents of this legislation. The issue of direct election of constitutional officers has come before this chamber consistently over time. It's not new to this Body. And the idea of indirect election of constitutional officers is actually a foreign concept to voters in many states. In 43 of the 50 states.

Representative **DILLINGHAM**: Point of Order.

The **SPEAKER**: The member will defer. The Chair recognizes the Representative from Oxford, Representative Dillingham and inquires to her Point of Order.

Representative **DILLINGHAM**: I believe in front of us is the report with the Committee Amendment "A", I don't believe we adopted Senate Amendment "B" yet and I believe the Speaker is talking to an action from the other Body. Thank you.

On **POINT OF ORDER**, Representative DILLINGHAM of Oxford asked the Chair if the remarks of Representative BAILEY of Gorham were germane to the pending question.

The **SPEAKER**: The Chair would remind the Member that the question before us is the Acceptance of the Majority Ought to Pass as Amended by Committee Amendment "A" Report. Therefore, the Committee Amendment that came out of the committee, the Senate Amendment, will be discussed should this report pass.

The Chair reminded Representative BAILEY of Gorham to stay as close as possible to the pending question.

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

Representative **BAILEY**: Thank you. In 43 of the 50 states, voters directly elect their Attorneys General. In 39 of the 50 states, State Treasurers are popularly elected. In 35 of the 50 states, voters directly elect their Secretaries of State. I understand the concerns of some of my colleagues about giving up the power to elect these offices. I also understand the position to others who strongly support direct election. After speaking with my colleagues on both sides of the aisle, it's clear to me the majority of voters across the aisle that are in between us, Mr. Speaker, on this issue, want the opportunity to vote on this bill and so, I'm going to support the pending motion. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Sinclair, Representative Martin.

Representative **MARTIN**: Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I will be opposing the pending motion. Just briefly, a few minutes ago, we just defeated six pieces of legislation that are quite similar and do exactly the same thing that this piece of legislation is proposing to do. I would ask you, Mr. Speaker and Ladies and Gentlemen of the House, to follow my light.

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, I feel compelled because this issue has come before us many, many times. That I know Maine stands with a unique procedure in choosing our constitutional officers. But regarding election, which is before us here, I have to point out the danger of a person who is the highest law enforcement officer in the State of Maine having to solicit support statewide and the money that is involved there, even if clean election funds should become available, there are independent expenditures and I feel this is not something that is consistent with good government in the State of Maine. Thank you, Mr. Speaker.

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

Representative **ANDREWS**: Thank you, Mr. Speaker. I'll be brief. This is the peoples' house, the people should be electing their constitutional officers, not politicians. 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. 285

YEA - Andrews, Austin, Bailey, Bernard, Berry, Bickford, Blier, Carlow, Carmichael, Cebra, Collamore, Collings, Connor, Corey, Costain, Dillingham, Dolloff, Doudera, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Grohoski, Haggan, Hall, Hanley, Harrington, Hasenfus, Head, Hepler, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lookner, Lyford, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perry, Pickett, Pluecker, Poirier, Quint, Riseman, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, Warren, White, Williams.

NAY - Alley, Arford, Babbidge, Bell, Blume, Brennan, Brooks, Bryant, Caiazza, Cardone, Cloutier, Copeland, Crafts, Craven, Cuddy, Dodge, Doore, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Harnett, Hymanson, Kessler, Landry, Madigan, Martin J, Martin R, Mathieson, Matlack, McCreagh, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry, Pierce, Reckitt, Rielly, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tuttle, Warren, White, Wood, Zager, Zeigler, Mr. Speaker.

ABSENT - Arata, Bradstreet, Crockett, Grignon, Perkins, Prescott, Roche, Sharpe, Tucker.

Yes, 74; No, 68; Absent, 9; Excused, 0.

74 having voted in the affirmative and 68 voted in the negative, with 9 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Resolution was **READ ONCE**. **Committee Amendment "A" (S-108)** was **READ** by the Clerk.

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on the motion to **ADOPT Committee Amendment "A" (S-108)**.

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 Gorham, Representative Bailey.

Representative **BAILEY**: Thank you, Mr. Speaker. I rise in support of this pending motion as well. I believe, as I said earlier, that LD 874 as originally proposed fell short of what Maine voters have expressed multiple times at the ballot box with regards to their preferences for the process of electing their leaders. However, Amendment "B" solves that problem, Mr. Speaker. I think the job of Representatives, in my view, is to try to find common ground and you can't always get what you want. But I believe in listening to my colleagues across the aisle.

Representative **GREENWOOD**: Point of Order.

The **SPEAKER**: The Member will defer. The Chair recognizes the Representative from Wales, Representative Greenwood.

Representative **GREENWOOD**: The Member is speaking on a Senate Amendment that is not before us yet.

On **POINT OF ORDER**, Representative GREENWOOD of Wales asked the Chair if the remarks of Representative BAILEY of Gorham were germane to the pending question.

The **SPEAKER**: The Chair will remind the Member that the question before us is Adoption of Committee Amendment "A".

The Chair reminded Representative BAILEY of Gorham to stay as close as possible to the pending question.

Subsequently, Representative DILLINGHAM of Oxford **WITHDREW** her **REQUEST** for a roll call.

Subsequently, **Committee Amendment "A" (S-108)** was **ADOPTED**.

Senate Amendment "B" (S-250) was **READ** by the Clerk.

Representative TUELL of East Machias **REQUESTED** a roll call on the motion to **ADOPT Senate Amendment "B" (S-250)**.

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

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

Representative **TUELL**: Thank you, Mr. Speaker. We all take great pride in our service to our committees. It's the cornerstone of our work. And working through issues in committees, we try to find some common ground, we try to find a way forward, we try to work things out. And in doing so, we settled on an agreement, moved that agreement forward and the bill went upon its merry way. The other Body chose a different direction.

The **SPEAKER**: The Member will defer. The Chair would remind the Member to not discuss the actions of the other Body. The Member may proceed.

Representative **TUELL**: Thank you, Mr. Speaker. I apologize. Here we find ourselves today with an amendment that was not agreed upon in committee, was not discussed or vetted or given a public process in committee nor, I would venture to say, would the vote have been the same had it been discussed in committee, speaking for myself only. So, I would encourage folks to reject the pending motion and send this bill to the other Body in nonconcurrency. Thank you, Mr. Speaker.

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

Representative **BAILEY**: Thank you, Mr. Speaker. Third time's a charm and I beg the indulgence of my colleagues, Mr.

Speaker I'm starting my speech over again. So, I was originally opposed to the version of LD 874 because I thought it fell short of what Maine voters have expressed multiple times at the ballot box with regards to their preference for the process of electing their leaders. However, I believe in trying to find common ground, as the Good Representative from Washington County mentioned, I believe in listening to those with whom I disagree because I have something to learn from them and I believe in compromise, not on my principles, but on policy in order to move issues forward. That's the job and I think the expectation that voters have of us. For this reason, I switched my position and speak in support of the pending motion, B, Ought to Pass as Amended.

LD 874 as amended is a compromise between the wants of the original proponents and opponents of this legislation. The issue of direct election of constitutional officers has come before this chamber consistently over time, as I've said before and a majority of states, a clear strong majority of states have a long history of electing their constitutional officers. I understand the concerns that some have raised to me about the power, where that rests in terms of electing Maine's constitutional officers. I also understand the position of some of my colleagues who feel strongly about direct election but would prefer a plurality outcome in these elections. After speaking with colleagues on both sides of the aisle and my constituents, it's clear to me that the majority of Maine voters are in the aisle between us on this issue, Mr. Speaker. They want the power to directly elect these officers but they also want to ensure that the winners are supported by a majority. I believe, as their Representatives, we should meet them in the middle. I ask my colleagues to support this bipartisan compromise, to dispense with this issue once and for all and allow the Maine people to decide if they want to directly elect their constitutional officers with majority support. After all, this is a constitutional amendment. It will go before Maine voters to make a final determination. I, for one, believe that voters are a lot smarter than they get credit for. After all, they sent all of my colleagues here, so, they must be pretty smart, Mr. Speaker. Let's give them the opportunity to decide upon this compromise amendment and let's move on rather than debating this issue for yet another decade. Thank you, Mr. Speaker.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is Adoption of Senate Amendment "B" (S-250). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 286

YEA - Arford, Bailey, Bell, Berry, Blume, Brennan, Brooks, Collings, Crafts, Craven, Cuddy, Dodge, Doudera, Evans, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Landry, Lookner, Madigan, Mathieson, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, Osher, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Talbot Ross, Tepler, Terry, Underwood, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Alley, Andrews, Austin, Babbidge, Bernard, Bickford, Blier, Bryant, Caiazzo, Cardone, Carlow, Carmichael, Cebra, Cloutier, Collamore, Connor, Copeland, Corey, Costain, Crockett, Dillingham, Dolloff, Doore, Downes, Drinkwater, Ducharme, Dunphy, Evangelos, Faulkingham, Fay, Fecteau, Foster, Geiger, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Martin J, Martin R, Martin T, Mason, Matlack, Millett, Morris, Nadeau, Newman, O'Connell, O'Connor, O'Neil, Ordway, Parry, Paulhus, Perry,

Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Supica, Theriault, Thorne, Tuell, Tuttle, Wadsworth, White.

ABSENT - Arata, Bradstreet, Grignon, Perkins, Prescott, Roche, Sharpe, Sylvester, Tucker.

Yes, 60; No, 82; Absent, 9; Excused, 0.

60 having voted in the affirmative and 82 voted in the negative, with 9 being absent, and accordingly **Senate Amendment "B" (S-250) was NOT ADOPTED.**

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

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

Representative **BRYANT**: Thank you, Mr. Speaker. What is the position of this, what position does this put us in? Are we passing Committee Amendment "A"?

The SPEAKER: The Chair would inform the Member that the House has Adopted the Majority Ought to Pass as Amended by Committee Amendment "A". The House has rejected Senate Amendment "B". Therefore we are engrossing the Committee Amendment "A" to the bill.

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

Representative **BRYANT**: Well, I object. Can I get a roll on that?

Representative **BRYANT** of Windham **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended by Committee Amendment "A" (S-108).**

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" (S-108). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 287

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

NAY - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazza, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hepler, 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, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

ABSENT - Arata, Bradstreet, Grignon, Perkins, Prescott, Roche, Sharpe, Tucker.

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

62 having voted in the affirmative and 81 voted in the negative, with 8 being absent, and accordingly the Resolution **Failed of PASSAGE TO BE ENGROSSED as Amended by**

Committee Amendment "A" (S-108) in NON-CONCURRENCE and sent for concurrence.

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

HOUSE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (H-528)** - Minority (4) **Ought Not to Pass** - Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Promote Oversight of and Competitive Parity among Video Service Providers"

(H.P. 676) (L.D. 920)

TABLED - June 10, 2021 (Till Later Today) by Representative BERRY of Bowdoinham.

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

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

The SPEAKER: The Chair recognizes the Representative from Hiram, Representative Wadsworth.

Representative **WADSWORTH**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Mr. Speaker, I know the Representative from South Portland has good intentions with this bill, but I must oppose it for two reasons; it removes local control of community-access TV providers' capital spending and it raises fees on cable and streaming services. Imagine if you're Comcast and you own a streaming service that's called Peacock. These fees apply to your streaming service. However, if you're Netflix or Hulu, you don't own any capital investment, these fees don't apply to you. It's not fair. Mr. Speaker, join me, join the Maine State Chamber of Commerce in opposing this bill.

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

Representative **KESSLER**: Thank you, Mr. Speaker. Mr. Speaker, this is a very big and complicated bill with 31 different sections and so, I would like to read through each one to make sure that the chamber understands the bill. Just kidding. All right, okay. Mr. Speaker, this bill was brought forth because we have an issue with keeping community television alive. And as cable companies transition to services over the internet, community television has less revenue to keep operations going. So, when a company like Comcast switches from broadcasting over cable wires, which are regulated, to broadband or over the internet, which is not, what this bill does is change the definition to include those same companies providing similar services just under a different definition. If it walks like a duck and it talks like a duck, it's a duck. More importantly, though, companies like Spectrum have really taken smaller towns to task with their franchise agreements. They take advantage of the fact that your small towns don't have the legal resources to stick up for themselves. What this does is uses the power of our state government to help these small towns enforce the franchise agreements that are blatantly being violated and gives them the power of the Attorney General to enforce those franchise agreements. I hope you will follow my light and vote with me on this pending motion. Thank you.

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

Representative **BICKFORD**: Thank you, Mr. Speaker. If it walks like a duck and talks like a duck, it must be government thinking that they know better than everyone else. Please vote down this pending motion.

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. 288

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

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

ABSENT - Arata, Bradstreet, Grignon, Perkins, Prescott, Roche, Sharpe, Tucker.

Yes, 83; No, 60; Absent, 8; Excused, 0.

83 having voted in the affirmative and 60 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-528) was READ** by the Clerk.

Representative **KESSLER** of South Portland **PRESENTED House Amendment "A" (H-635) to Committee Amendment "A" (H-528), which was READ** by the Clerk and **ADOPTED.**

Committee Amendment "A" (H-528) as Amended by House Amendment "A" (H-635) 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-528) as Amended by House Amendment "A" (H-635) thereto and sent for concurrence.**

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

Bill "An Act To Require Instruction on the History of Genocide and the Holocaust"

(H.P. 150) (L.D. 215)

- In House, Majority (8) **OUGHT NOT TO PASS** Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS READ** and **ACCEPTED** on June 10, 2021.

- In Senate, Minority (5) **OUGHT TO PASS AS AMENDED** Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-243) in NON-CONCURRENCE.**

TABLED - June 14, 2021 (Till Later Today) by Representative DUNPHY of Old Town.

PENDING - Motion of Representative FECTEAU of Augusta to **RECEDE** and **CONCUR.**

Subsequently, Representative DUNPHY of Old Town **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR.**

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 Augusta, Representative Fecteau.

Representative **FECTEAU**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. When we come into the State House, there are certain things that each of us deeply believe in. For me, it's students and understanding that this, this bill right before us, is the most important lesson of the 20th century. Last time I rose, I spoke about how an alarming amount of our young people, 11% of our young people, believe that Jews caused the Holocaust. When our forefathers finally pass on, the brave men and women that defeated Nazi Germany, when they pass on, the lessons, the most important lessons of the 20th century are being forgotten. There's been similar actions by this Body that lead me to believe that this is the last chance to ensure that we can enshrine the most important lesson of the 20th century and genocide in general, which is the most putrid thing humans do to one another that's still occurring all over the globe. I was a little saddened yesterday when this was tabled because yesterday in Poland, June 14th, is National Remembrance Day for the victims at Auschwitz. On June 14, 1940, I think it was 728 of the first prisoners, Pole prisoners, were brought to Auschwitz and they were tattooed with their prisoner numbers. It's a very solemn day for the Poles, who suffered the most in the Holocaust. I just really hope that we can come together and ensure this instruction stays. This didn't happen that long ago. Three days ago, Anne Frank would've celebrated her 92nd birthday. So, please, please ensure that our students are receiving the most important instruction of the last century. Thank you.

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

Representative **BRENNAN**: Thank you, Mr. Speaker, Men and Women of the House. I definitely appreciate the comments from the Good Representative from Augusta, but this bill is unnecessary as it has already been dealt with in other proposals. Thank you.

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

ROLL CALL NO. 289

YEA - Andrews, Austin, Bernard, Bickford, Blier, Carlow, Carmichael, Cebra, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Evangelos, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Pickett, Poirier, Quint, Reckitt, Riseman, Rudnicki, Sampson,

Skolfield, Stanley, Stearns, Stetkis, Theriault, Thorne, Tuell, Underwood, Wadsworth, Warren, White.

NAY - 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, Johansen, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCreia, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry A, Perry J, Pierce, Pluecker, Rielly, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tuttle, Warren, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

ABSENT - Arata, Bradstreet, Grignon, Perkins, Prescott, Roche, Sharpe, Tucker.

Yes, 64; No, 79; Absent, 8; Excused, 0.

64 having voted in the affirmative and 79 voted in the negative, with 8 being absent, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

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

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

**CONSENT CALENDAR
First Day**

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

(H.P. 209) (L.D. 296) Bill "An Act To Provide a Tax Credit for Family Caregivers" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-621)**

(H.P. 1083) (L.D. 1467) Bill "An Act To Promote a Circular Economy through Increased Post-consumer Recycled Plastic Content in Plastic Beverage Containers" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-622)**

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

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

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

**ENACTORS
Acts**

An Act To Retroactively Grant Sick Leave Days to Public School Employees Affected by COVID-19

(H.P. 731) (L.D. 993)
(C. "A" H-333; S. "A" S-262)

An Act To Amend the Laws Governing Unemployment Compensation

(S.P. 507) (L.D. 1564)
(S. "A" S-243 to C. "A" S-223)

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 Study and Report on How Statewide Retirement Systems Affected by the Windfall Elimination Provision and Government Pension Offset Can Cooperate on Solutions

(S.P. 148) (L.D. 341)
(S. "A" S-251 to C. "A" S-203)

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

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

UNFINISHED BUSINESS

The following 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.

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-602)** - Minority (5) **Ought Not to Pass** - Committee on **JUDICIARY** on Bill "An Act To Provide Access to Justice for Victims of Child Sexual Abuse"

(H.P. 432) (L.D. 589)

TABLED - June 14, 2021 (Till Later Today) by Representative HARNETT of Gardiner.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-602)** 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-602)** and sent for concurrence.

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

HOUSE DIVIDED REPORT - Majority (10) **Ought to Pass as Amended by Committee Amendment "A" (H-601)** - Minority (3) **Ought Not to Pass** - Committee on **JUDICIARY** on Bill "An Act Regarding the Review of Law Enforcement Use of Deadly Force"

(H.P. 1095) (L.D. 1480)

TABLED - June 14, 2021 (Till Later Today) by Representative HARNETT of Gardiner.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

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

Representative HAGGAN of Hampden **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 Hampden, Representative Haggan.

Representative **HAGGAN**: Thank you. My apologies. I'm not in great shape like I used to be back in the glory days. There it is, I have it, thank you. All right, 1480.

Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This bill requires in a deadly force incident with police that a recording from law enforcement be turned over to the public within 180 days after incident. The AG must turn over the video evidence within that time period but if the Attorney General needs extra time, he may have up to 270 days. This amendment would help to include bodycam funding, excuse me, I wanted to, I apologize. I'm supposed to read something to you. I don't know what to do. I'm supposed to offer an amendment and clearly I'm flustered and I apologize.

The SPEAKER: The Chair would advise the Member that in order for the amendment to be offered, the Committee Report will have to be accepted first and then there will be an opportunity for the Member to offer a floor amendment if he so wishes.

Subsequently, Representative HAGGAN of Hampden **WITHDREW** his **REQUEST** for a roll call.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-601)** was **READ** by the Clerk.

Representative HAGGAN of Hampden **PRESENTED House Amendment "A" (H-634) to Committee Amendment "A" (H-601)**, which was **READ** by the Clerk.

The SPEAKER: The Chair recognizes the Representative from Hampden, Representative Haggan.

Representative **HAGGAN**: Thank you, Mr. Speaker. This bill requires in a deadly force incident with police that a recording from law enforcement be turned over to the public within 180 days after incident. The AG must turn over video evidence within that time period but if the Attorney General needs extra time, he may have up to 270 days total. The amendment would help to include bodycam funding to law enforcement agencies around the State of Maine. This bill shows that video is and can be very helpful, but only when properly funded and resourced. It is vital that we provide funding to departments to acquire and maintain body-worn cameras for officers. Body-worn cameras provide transparency to the public as well as protection for not only citizens but officers as well.

Today's amendment would help to aid law enforcement by establishing a body-worn camera fund is established within the department for the purpose specified in subsection two as a separate and distinct fund for accounting and budgetary reporting purposes. The fund is established for the purpose of providing funding in the form of grants to law enforcement agencies for the purchase of body-worn cameras and related equipment, storage and maintenance. A law enforcement agency that receives a grant from the fund shall maintain that money in a separate account and shall report by September 1st of each year to the Department of Administrative and Financial Services how the funds for the prior state fiscal year were directed to that purpose. The Commissioner of Administrative and Financial Services shall, by October 1st of each year, compile the reports provided under the subsection and submit the information in a report to the Legislature. The following appropriations and allocations will be made. The body-worn camera fund, this initiative provides one-time allocations from

the local fiscal recovery funds authorized in the Federal American Rescue Plan Act of 2021. In the fiscal year, the federal expenditures in the fiscal year 21-22 would be \$2.5 million each and 2022-2023, \$2.5 million each. So, Mr. Speaker, I would conclude by saying that this amendment establishes the body-worn camera fund within the Department of Public Safety for the purpose of providing grants to county and municipal law enforcement agencies and law enforcement agencies of other political units of the State, not including the state police, for the purchase of body-worn cameras and related equipment, storage and maintenance. The amendment requires law enforcement agencies that receive a grant to submit a report regarding the grant to the Department of Administration and Financial Services. The amendment also adds an appropriations and allocations section. Mr. Speaker, as we all know, the bill before us is an opportunity to increase effectiveness of law enforcement in the State of Maine by the proper use of video cam and dissemination of this information in a timely and appropriate manner. Thank you very much and once again I really appreciate everything. Thank you.

Representative DUNPHY of Old Town **REQUESTED** a roll call on the motion to **ADOPT the House Amendment "A" (H-634) to Committee Amendment "A" (H-601)**.

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 Oxford, Representative Dillingham.

Representative **DILLINGHAM**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this amendment. In speaking with one of the municipal chiefs within my district and we got talking about bodycams and their support of wearing such, he expressly said it would be beneficial to have some sort of grant program for those municipal and county officials that are wearing the bodycams to help them not so much even if it's the first purchase but the ongoing upkeep and maintenance of their bodycams is often not within line-item budgets when you're looking at municipal and county budgets. So, they felt that this would be very beneficial and I hope that folks will follow my light on this. Thank you.

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

Representative **EVANGELOS**: Thank you, Mr. Speaker. I wanted to thank the Representative from Hampden for his good idea. I can't support it at this time because I'm worried that the fiscal note could ruin all the good work that the Attorney General and the Judiciary Committee put in on this bill. We worked very hard to broker a compromise but, the Representative from Hampden, I'll give you my word, if you bring the bill forward in January, I'll co-sponsor it for you and I mean it. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "A" (H-634) to Committee Amendment "A" (H-601). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 290

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

NAY - 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, Hymanson, Kessler, Kryzak, 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.

ABSENT - Andrews, Arata, Bradstreet, Cebra, Faulkingham, Grignon, Hepler, Javner, Prescott, Roche, Sharpe, Theriault, White.

Yes, 55; No, 83; Absent, 13; Excused, 0.

55 having voted in the affirmative and 83 voted in the negative, with 13 being absent, and accordingly **House Amendment "A" (H-634) to Committee Amendment "A" (H-601) was NOT ADOPTED.**

Subsequently, **Committee Amendment "A" (H-601) 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-601)** and sent for concurrence.

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

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

HOUSE DIVIDED REPORT - Majority (10) **Ought Not to Pass** - Minority (1) **Ought to Pass as Amended by Committee Amendment "A" (H-617)** - Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act To Facilitate the Recycling of Clean Energy Equipment"

(H.P. 656) (L.D. 900)

Which was **TABLED** by Representative BERRY of Bowdoinham pending **ACCEPTANCE** of the Majority **Ought Not To Pass** Report.

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

Representative **FOSTER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I will try to be brief. This bill introduced by my good friend representing South Portland and a smidgen of the Cape of Elizabeth would begin the process to consider this pending materials disposal issue. In order to be carbon free by 2050, projections of what will be installed are 400-500 onshore wind towers, 40-45,000 acres of solar panels and 410 12-megawatt offshore wind towers. That's a large volume of turbine blades, solar panels, related renewable energy components. With a projected useful life of 20-30 years for solar panels, some will need to be replaced by the time the zero-carbon emissions goal is reached. If the total of 45,000 acres is installed, the citizens of Maine will be faced with dealing with 2,156,220 tons of material from the panels alone. Think of this the next time you pass by one of the existing solar arrays occupying a hundred acres or more of former rural Maine farmland. I ask that you oppose the pending motion so that we

can begin to deal with this issue today. Thank you, Mr. Speaker and I request a Roll Call.

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 Milford, Representative Drinkwater.

Representative **DRINKWATER**: Thank you, Mr. Speaker. Just a quick question, if I may?

The SPEAKER: The Member may proceed.

Representative **DRINKWATER**: As we're seeing the goldrush for solar and wind come forward, are the owners required to have a recycling program in order that they will fund it?

The SPEAKER: The Representative from Milford, Representative Drinkwater has posed a question to any member who may care to respond. The Chair recognizes the Representative from Hiram, Representative Wadsworth.

Representative **WADSWORTH**: Thank you, Mr. Speaker. There is no recycling or bonding program in place.

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

Representative **BERRY**: Thank you, Mr. Speaker. Mr. Speaker, the Minority Report of one is a concept draft. 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. 291

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, 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, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Andrews, Arata, Bradstreet, Cebra, Grignon, Hepler, Javner, Prescott, Roche, Sharpe, Theriault, White.

Yes, 82; No, 57; Absent, 12; Excused, 0.

82 having voted in the affirmative and 57 voted in the negative, with 12 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**.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-623)** on Bill "An Act To Protect Maine's Drivers from Pretextual Traffic Stops" (H.P. 301) (L.D. 417)

Signed:
Senators:

DESCHAMBAULT of York
LAWRENCE of York

Representatives:

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

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

Signed:
Senator:

CYRWAY of Kennebec

Representatives:

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

READ.

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

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

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

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

Representative **PICKETT**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, we all know that there come times when we have legislation come before us to vote on that have unintended consequences and, in my opinion, I believe this is one of those times. I've read this bill over and over. I have read the summary of this bill over and over and the amendment. And as a former state trooper, as a former state police detective, as a former chief of police, I must say I'm appalled and offended by the author's assumptions and ridiculous attacks. The result of this bill becoming law would be to handcuff police, destroy quality police work, leave the people of Maine with far less protection and further protect the criminals from honest prosecution. Maine people deserve quality police work and that is exactly what they get from 99.9% of all police in Maine every day. Police are trained to looked for suspicious behavior and to act on that trained suspicion. Every policeman keeps their nose in the crime game every day and this has resulted in better police work and more apprehensions. Let's

take a look at the potential damage passage of this bill could result in. An example, and it's going to seem farfetched, but the bill deals with it in this way. A police officer stops a car because there's a taillight out. As the officer approaches the car, the trunk pops open. The officer looks down and notices human beings in the trunk. One is moving and that is the one who forced the trunk open. Unfortunately, the other person is covered in blood and later determined to be shot dead. It seems ludicrous, it seems suspicious, however, warrants quick action. Obviously, yes. However, this car was stopped for a traffic violation and any evidence of a crime resulting from discovering this dead person in the trunk cannot be used. It doesn't mean they won't be prosecuted, it just means any evidence found at the time of that stop cannot be used in that investigation, in that proceeding against the person who was found responsible for it. All evidence of a crime must be ignored because it was not the purpose of the stop.

Another example; a vehicle is stopped for speeding. Upon approaching the vehicle, the officer notices that the occupants are acting suspiciously. They have several visible packages that they are hiding on the floor. The officer suspects this could be illegal materials. The officer asks the occupants what is in the packages and the occupants refuse to answer. The officer calls for backup and holds the vehicle until the backup arrives. They then remove the occupants from the car and discover \$14,000 in cash, 300 doses of heroin and a large container of fentanyl. Again, it's just a hypothetical. They also find two loaded handguns. However, because of this new law being in effect, the officers must simply apologize for the stop and not be able to use any of the evidence in any kind of a case or to begin an investigation into what might really be going on there after they noticed it. Remember, under this bill, no criminal activity can be prosecuted or evidence gathered unless the reason for the apprehension is related to the crime. So, how about this last example? A driver is stopped for a suspected OUI. He was spotted weaving back and forth over the center line of the road. When the officer approaches the car, it's observed that the woman in the passenger seat is covered in what appears to be blood. The driver asks the driver and passenger to explain but they refuse to answer. The driver exits the car and is administered a sobriety test. The passenger is sobbing but still in the car. The officer asks the passenger if she needs medical attention and she says yes. An ambulance is called and the passenger is taken to the hospital. The driver passes the sobriety test. During treatment of the passenger at the hospital, the passenger says to the people at the hospital she was beaten repeatedly by the driver and was being beaten further just because the car was stopped. Can the driver be arrested and charged? Clearly, this crime was discovered as a result of an unrelated traffic stop. If this bill passes, no evidence of any crime discovered as a result of a traffic stop, but not directly related to the traffic stop, can be used to prosecute.

I give those examples and, I agree, they are examples that are just thrown out there, but this is the unintended consequences of this bill, Mr. Speaker. I ask my fellow colleagues here in the House; is this justice or is this simply another way to cut the legs out from under police who are simply doing their job that they were hired to do and then allowing criminals to go free? Is this what Maine is all about? Are we really going to make it illegal for any officers to search out suspicious activity or spot an act upon criminal activity? Do we want them in our communities, such as my community, when my officers if they started noticing a certain vehicle or vehicles in the area and we were having some kind of a problem with burglaries in that area, noting that vehicle and at all kinds of times,

especially in the early morning hours of the day and to take note of that vehicle and to pay attention and to see if a burglary did happen and, if it did, collect those together and possibly, if there was the opportunity to stop and just identify the people and find out who they were because it was the same car over and over and over and over? These are the kind of things that we do to try to protect our communities, Mr. Speaker. I believe this is a misguided LD and it should not be passed. But now, it should receive, I believe it should receive a bipartisan unanimous Ought Not to Pass. Thank you very much, Mr. Speaker.

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

Representative **SKOLFIELD**: Thank you, Mr. Speaker. I, too, rise in opposition to this bill and if you would allow me, I'd like to read a very short email I just received just moments ago from Sheriff Scott Nichols of Franklin County. Sheriff Nichols says; if LD 417 passes, it will do much damage to our ability to keep our streets safe from OUIs, drug activity and other crimes. If passed, it could be argued that any traffic stop we make on the road would be in violation of the law. All this would do is embolden drunk drivers who operate cars every day running a .10 BAC or higher as normal. It would embolden drug dealers who pedal their poison in our communities to continue their practice, knowing that if they are stopped, they will eventually get away with it. I ask that you vote down this measure. Thank you, Mr. Speaker.

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

Representative **JOHANSEN**: Thank you, Mr. Speaker. I'd like to remind everybody here, including the Speaker, that there is no such thing as a pretextual stop. There is a reason for that stop. You can put a label on it, pretextual, but let me also remind you there's nobody breaking into the law enforcement officer's home and assaulting their families, stealing their stuff. They're very, very rarely, if ever, victims; it's other folks. So, this attempt at defunding the police at little bites here and there, it could be effective but it's going to be effective against you; you're the victims, not the police officers. Be very, very careful how much farther down these roads you go. It could come back on you. Thank you, sir.

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

Representative **MORALES**: Thank you, Mr. Speaker, Friends and Colleagues in the House. This bill does not stop an officer from pulling drivers over for traffic violations, Mr. Speaker, or from using all the tools that police officers have to prosecute traffic violations or from seeing, for example, in the example that my good friend from Dixfield gave in-plain-site criminal activity happening in a car or someone in danger in a car. That's probable cause, the highest standard and of course a mandate for that officer to act. This bill does not impact that ability at all. What this bill gets at is pretexts and pretexts are using a minor violation to stop a vehicle, not intending to cite that driver for that minor violation but to use it to fish for other suspected activity for which the officer does not have reasonable suspicion of. And what that means is the officer does not have evidence of the crime that they are seeking inside that vehicle. Mr. Speaker, in order for the criminal justice system to work, the public must trust it. You may ask what is the best way to gain that trust and to keep that trust. When our policies and practices are grounded in objective evidence, when they are fair and unbiased and when we see and believe through reviewing empirical data that our laws do not disproportionately impact one group of people over another, that, Mr. Speaker, is how we gain and keep that trust.

LD 417 is a small step towards building that trust and it does it with clear objective standards. LD 417 simply requires that law enforcement have some articulable suspicion of the suspected crime they want to stop the driver for before they pull the driver over. This bill is a change to Maine's current policy which allows law enforcement to pull a driver over on a hunch, without reasonable suspicion of the suspected crimes, which means without any evidence. The current Maine policy results in drivers being pulled over for things like hanging your mask from a rearview mirror or a necklace, going four miles over or under the speed limit, touching a white or yellow line, or driving in the middle of a lane of a highway, to just name a few of the hundreds of traffic violations that exist. And then pulling that driver over but not because the officer seeks to cite that driver for these reasons but rather to use these reasons as a pretext for the officer to explore their hunch of other criminal activity. The committee and I did a lot of work on this bill, Mr. Speaker and it looks much different from the original bill. After receiving input, language suggestions and guidance from law enforcement, prosecutors, judges, assistant attorney generals, defense attorneys, advocates, Maine drivers and community members, what was added and passed by the Majority Report as the amended bill before you today includes an exception to make sure it is so very clear that if during a traffic stop, any and all traffic stops, an officer develops a reasonable suspicion of a crime or suspected crime, the officer can always act on that evidence and use all the tools available to the officer to enforce the laws and keep the public safe. What also remains true with this bill as amended is that law enforcement can always pull a driver over for any violation of the laws of the road. This bill is truly the work of many stakeholders to balance the important goals of public safety, of liberty and of justice. Mr. Speaker, I respectfully request that this Body pass LD 417 today and take a small step towards creating more trust in our public safety system and justice for Maine people. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Harrington.

Representative **HARRINGTON**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the pending motion. Many ridiculous reasons for a traffic stop were just listed. I'm not sure why we aren't just dissolving those laws here in this Body because I think we could all agree that maybe going 2 miles over the speed limit is a ridiculous reason for someone to be stopped. So, why don't we get rid of those laws? But I think this session it's becoming very clear the objective is not to remove ridiculous reasons to be stopped, it's to currently tie the hands of law enforcement in this State. So, I would like to just quickly draw attention to one pretty big pretextual traffic stop going back to 1995 after the Oklahoma City bombing in the Murrah Building when Timothy McVeigh was stopped for a seemingly pretty mild violation of not having a license plate. That was a pretextual stop that led to the capture of a domestic terrorist. So, how about we not tie the hands of law enforcement, let's trust that they do stop cars with the right motives and remove some of these ridiculous laws that are on the books. Thank you.

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

Representative **BICKFORD**: Thank you, Mr. Speaker. Mr. Speaker, I wonder where the definition in the bill pretextual traffic stop comes from. The Supreme Court in 1996 ruled that a pretextual traffic stop is, indeed, legal and not a violation of Fourth Amendment. It also the defendant had been stopped for a minor traffic violation, during the stop, the officers found drugs, illegal drugs. They arrested him on a drug charge. He appealed

all the way to the Supreme Court and the Supreme Court did rule that law enforcement do have the right when they pull you over to look around. What are we going to do when we get rid of OUI roadblocks to make sure that we don't have people dying on the highway? Or what about the trailer trucks moving down the road that get pulled over and inspected without cause? Is that all going to stop now? Do we not want to have law enforcement in this State? Mr. Speaker, again, as we heard earlier, if it walks like a duck and talks like a duck, look out.

The SPEAKER: The Chair recognizes the Representative from Oakland, Representative Perkins.

Representative **PERKINS**: Mr. Speaker and Ladies and Gentlemen of the House, I rise in opposition of this. There's a couple reasons. As a police officer for 34 years, I can remember one night, dark of the night, all by myself, almost up into Moxie, riding along and I saw a truck with no front plate. I turned on the vehicle and followed it up the road, pulled over the gentleman to find out he's wanted for homicide in Oklahoma. I bet everybody in here is pretty glad I stopped him because he'd beaten and killed one person, what's the next person? That's why police officers act on gut instinct, often they act on gut instinct and they see something, they follow up. And we start to build a story. In the State of Maine, if we take away this option for police officers to stop and do their job, we're also going to take the exact pretense of how we take and get federal money for our OUI stops. Many people are killed every year and I believe they say about every 15 minutes someone is killed because of an OUI; operating under the influence. Let the police officers do their job. And if it's not going tie their hands, then why are we writing the bill? Thank you, Mr. Speaker.

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

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

The SPEAKER: The Member may proceed.

Representative **PICKETT**: Mr. Speaker, in the amendment, number four says evidence of criminal activity obtained pursuant to a pretext stop may not be used in any criminal proceeding, notwithstanding the foregoing; evidence of criminal activity obtained during a stop that is not a pretext stop is admissible. The question I have is if we're talking about pretextual stops, then when is there ever going to be a non-pretextual stop? Thank you, Mr. Speaker.

The SPEAKER: The Representative from Dixfield, Representative Pickett has posed a question to any member who may care to respond. The Chair recognizes the Representative from South Portland, Representative Morales.

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

Representative **MORALES**: Thank you, Mr. Speaker and thank you for the question. You know, I think we're confusing a little bit what a pretext stop is and to the question earlier about where does the definition come from, the experts working on the committee who are experts in law enforcement as well looked at the case law around the country to define that in this bill. But a pretext is not a minor traffic violation. A pretext is not an objective standard. A pretext stop has to be proven by law in the courts and it's subjective, so, it's difficult. I understand fully, with this bill it will be very difficult to prove that a law enforcement officer was using a pretext, using a fake reason to pull someone over without having evidence. That will be very, very hard to do, but a pretext does not mean a minor traffic violation. Certainly, we have many traffic violations that are legitimate and law

enforcement officers pull folks over for those all the time. That is not what a pretext is. Thank you, Mr. Speaker.

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

Representative **ORDWAY**: Thank you, Mr. Speaker, my Colleagues in the House. I just have a feeling with this bill that it's one more thing to go after police in this country. If one only needs to Google police shortage, we are driving police officers out, retirement is at an all-time high, recruitment at an all-time low. How hard are we going to make their job that we really don't pay them anywhere near enough and now we're going to make it harder for the police to enforce laws and do their job? I urge you all to defeat this bill.

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

Representative **BICKFORD**: Thank you, Mr. Speaker. Pretextual relates to a minor offense that enables authorities to detain a suspect for investigation of other matters. So, basically, it sounds to me like if someone's pulled over for a taillight out or for speeding, then while the police officer is there, it is very much constitutional for him to ask other questions and glance in the car and put his flashlight up on your windshield, make sure you have an inspection sticker, look on the back of your license plate, make sure it's registered. That's all considered pretextual. Read the definition.

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. It seems to me we've heard from multiple police officers, people who actually have their boots on the ground and have done this job for most of their lives or, some of them, will do them for the rest of their lives. It seems to me that they might be the appropriate ones to listen to on this. Thank you, Mr. Speaker.

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

Representative **WARREN**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, we everyday listen to law enforcement officers. We spend a lot of time with law enforcement officers from across the State in our committee every single day. For the Representative from Standish, you are so right; we need to pay our law enforcement officers more. That's what the recruitment and retention is about, full-stop, at all levels. This bill is about fairness. This bill does not take a single tool away. This bill says that police can always act, law enforcement can always pull people over, law enforcement can always act when they have suspicion. For my friend, the Representative from Sanford, I ask that you look at the bill again. Mr. Speaker, this bill is about fairness. And when we talk about pretext stops, everybody in this chamber knows what we're talking about and it is not about shining a flashlight on a windshield. And it must be proven first that this is a pretext stop before anything is thrown away and this is a tough thing to prove. And my friend, the Representative from Sanford, he knows that. This bill takes nothing away.

The SPEAKER: The Member will defer. The Chair would advise the Member to not project how other Members feel or think about the bill before us. The Member may proceed.

Representative **WARREN**: So, just to close, this bill does not change anything law enforcement can and cannot do. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Sanford, Representative Harrington.

Representative **HARRINGTON**: Thank you, Mr. Speaker. I apologize for rising a second time, but the Good Representative from Hallowell says police officers come before her committee and she listens to them. So, the Immigrant Legal Advocacy Project testified in support, the Maine Prisoner Advocacy Coalition testified in support and then the ACLU of Maine testified in support, but then let's get to the police officers. Maine Chiefs of Police testified against, Maine Department of Public Safety testified against. So, it's very clear she does not care what police officers have to think.

The **SPEAKER**: The member will defer. The Chair would advise the Member to not project how other Members feel or their motives in relation to the bill before us.

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

Representative **PICKETT**: Mr. Speaker, thank you. I apologize for rising again, but I feel I must have to respond. Talk about fairness, so, let's talk about fairness. What about the fairness to the people that are in communities that expect to be safe by the workings of their law enforcement that are doing and out patrolling 24 hours, making sure they can sleep at night and be assured that they're as safe as they possibly can be. Fairness; fairness is not about going about and looking at a vehicle and seeing a certain person and let's get down to the real nitty-gritty here, a certain person that may not be the same color as I am and picking that person to take and stop. And a lot of that conversation happened in committee. It's not about that. Good cops out here, all cops out here that do their job, they don't care what a person's gender is, they don't care what their race is, they only care about if they are breaking the law, why they're breaking the law and whether a warning is necessary or an arrest is necessary or if there's a warrant or whatever. We've got better things to do in law enforcement, Mr. Speaker, than going around picking cars out and saying we're going to stop this person for this and we're going to stop that person for this. We don't do that. They may do it in other parts of the country around here, but we don't do it in Maine. And, Mr. Speaker, I have a question that I would like to ask to the Chair as well, please.

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

Representative **PICKETT**: The Maine Chiefs of Police asked this question in their testimony as they testified in opposition to this. Why is it in the public interest that a law enforcement officer may stop a vehicle for only a motor vehicle offense only to be prohibited from taking further enforcement action on any other offense detected after the initial stop? And the other thing I would say, before I get the answer to that question, is if we're not doing anything that hinders law enforcement from doing anything they're doing now, then the other question I have is what do we need the bill for? Thank you, Mr. Speaker.

The **SPEAKER**: The Representative from Dixfield, Representative Pickett has posed a question to any member who may care to respond. The Chair recognizes the Representative from Cumberland, Representative Moriarty.

Representative **MORIARTY**: Thank you, Mr. Speaker. In response to the question, I would just point out we are dealing with a motion which is Ought to Pass as Amended by Committee Amendment "A". The answer to the question is found in Committee Amendment "A" and specifically the fifth and final numbered paragraph.

Now, reference was made a moment ago to subparagraph four and how evidence which is obtained but which is extraneous to the purpose behind the original stop is not admissible. However, subparagraph five says that subparagraph four doesn't apply if during the course of the stop and during the course of asking questions information comes to the attention of the officer, giving rise to an articulable suspicion of criminal activity.

We were asked to consider two hypotheticals; that of a trunk popping open spontaneously disclosing a body and that of a beaten and bloodied passenger in the passenger side of the car asking for help and in obvious distress. If the purpose of the stop were for a broken taillight and during the course of that stop the officer observed the body in the trunk or the bloodied person in the passenger seat, at that point, the officer has an articulable suspicion of broader criminal activity and that sort of evidence is not excluded under the amendment.

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

Representative **RUDNICKI**: Thank you, Mr. Speaker. I just want to take a moment and read from the testimony from the Department of Public Safety. It's an example of what this bill does. An officer working in an area where there have been cases of human trafficking observed a tractor-trailer pull into a truck stop and momentarily stops long enough for a very young woman to get out of that tractor-trailer. After hearing the driver yell something out the window, the woman jumps back into the tractor-trailer and the truck leaves. Now, there may be a reasonable explanation for this incident such as a parent yelling at their daughter to get back in the truck or maybe the young lady is in danger and needs immediate police help. The officer follows the tractor-trailer and observes the vehicle merge onto I-95 but fails to yield the right of way to a vehicle already occupying that lane. The officer stops the tractor-trailer for the traffic violation of failing to yield to another motorist, later determined that the young lady was, in fact, kidnapped and is being used in sex trafficking. Once again, the officer's conduct would be illegal and the suspect would walk free for charges related to crimes but may be summoned only for failing to yield. This came from the Department of Public Safety and I will tell you that this bill is not something that we want to continue with. Thank you.

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

Representative **WARREN**: Thank you, Mr. Speaker. Mr. Speaker, the testimony being shared by my friends on the committee is before the amendment. 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. 292

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, Hymanson, Kessler, Lookner, Madigan, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Neil, Osher, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Supica, Sylvester, Talbot Ross, Tepler, Terry, Warren C, Warren S, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Alley, Austin, Bernard, Bickford, Blier, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyford, Lyman, Martin J, Martin R, Martin T, Mason, Millett, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Parry, Paulhus, Perkins, Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Stover, Thorne, Tuell, Tuttle, Underwood, Wadsworth, White.

ABSENT - Andrews, Arata, Bradstreet, Cebra, Grignon, Hepler, Prescott, Roche, Sharpe, Theriault, Tucker, White.
Yes, 72; No, 67; Absent, 12; Excused, 0.

72 having voted in the affirmative and 67 voted in the negative, with 12 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-623)** 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-623)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-624)** on Bill "An Act To Decriminalize Engaging in Prostitution, Strengthen the Laws against Commercial Sexual Exploitation and Allow a Person Convicted of Engaging in Prostitution To Petition the Court To Expunge the Record of Conviction"

(H.P. 1181) (L.D. 1592)

Signed:

Senator:

DESCHAMBAULT of York

Representatives:

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

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

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

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

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-624)** 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-624)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-625)** on Resolve, To Compensate Department of Corrections Employees for Hazardous Work

(H.P. 1252) (L.D. 1683)

Signed:

Senators:

DESCHAMBAULT of York
CYRWAY of Kennebec
LAWRENCE of York

Representatives:

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

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

Signed:

Representatives:

PICKETT of Dixfield
RUDNICKI of Fairfield

READ.

Representative WARREN of Hallowell 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. 293

YEA - Alley, Arford, Austin, Babbidge, Bailey, Bell, Bernard, Berry, Bickford, Blier, Blume, Brennan, Brooks, Bryant, Caiazza, Cardone, Carlow, Carmichael, Cloutier, Collamore, Collings, Connor, Copeland, Corey, Costain, Crafts, Crockett, Cuddy, Dillingham, Dodge, Doore, Doudera, Downes, Drinkwater, Ducharme, Dunphy, Evangelos, Evans, Faulkingham, Fay, Fecteau, Foster, Geiger, Gere, Gramlich, Greenwood, Griffin, Grohoski, Haggan, Hall, Harnett, Harrington, Hasenus, Head, Hutchins, Hymanson, Javner, Kessler, Kryzak, Lemelin, Libby, Lookner, Lyford, Lyman, Madigan, Martin J, Martin R, Martin T, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett H, Millett R, Morales, Moriarty, Morris, Nadeau, Newman, O'Connell, O'Connor, O'Neil, Ordway, Osher, Parry, Paulhus,

Pebworth, Perkins, Perry A, Perry J, Pickett, Pierce, Pluecker, Poirier, Quint, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sampson, Sheehan, Skolfield, Stanley, Stearns, Stetkis, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Thorne, Tuell, Tuttle, Wadsworth, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Gifford, Hanley, Johansen, Mason, Rudnicki, Underwood.

ABSENT - Andrews, Arata, Bradstreet, Cebra, Dolloff, Grignon, Hepler, Kinney, Landry, Prescott, Roche, Sharpe, Theriault, Tucker, White.

Yes, 130; No, 6; Absent, 15; Excused, 0.

130 having voted in the affirmative and 6 voted in the negative, with 15 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-625)** 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-625)** 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-629)** on Bill "An Act To Create the Maine Clean Energy and Sustainability Accelerator" (H.P. 1230) (L.D. 1659)

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 Not to Pass** on same Bill.

Signed:

Senator:

STEWART of Aroostook

Representatives:

CARLOW of Buxton
FOSTER of Dexter

READ.

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

The SPEAKER: The Chair recognizes the Representative from Hiram, Representative Wadsworth.

Representative **WADSWORTH**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to oppose the pending motion. Green energy isn't attractive for a capital investment, so, we need this bill as its uneconomic without subsidy.

Representative WADSWORTH of Hiram **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. 294

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

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

ABSENT - Andrews, Arata, Bradstreet, Cebra, Grignon, Hepler, Landry, Prescott, Roche, Sharpe, Theriault, Tucker, White.

Yes, 80; No, 58; Absent, 13; Excused, 0.

80 having voted in the affirmative and 58 voted in the negative, with 13 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-629)** 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-629)** 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-630)** on Bill "An Act To Improve the Health of Maine Residents by Closing Coverage Gaps in the MaineCare Program and the Children's Health Insurance Program" (H.P. 529) (L.D. 718)

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-630)** and sent for concurrence.

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-632)** on Resolve, To Ensure the Health and Wellness of Older Residents of the State

(H.P. 538) (L.D. 727)

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 Not to Pass** on same Resolve.

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 to Pass as Amended** Report.

Representative GRIFFIN of Levant **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 Levant, Representative Griffin.

Representative **GRIFFIN**: Mr. Speaker, simply said, we need to take care of our own citizens before we take care of noncitizens. 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. 295

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, Hasenus, 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, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Andrews, Arata, Bradstreet, Cebra, Grignon, Hepler, Prescott, Roche, Sharpe, Theriault, Tucker, White.

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

81 having voted in the affirmative and 58 voted in the negative, with 12 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-630)** 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**.

READ.

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

Representative GRIFFIN of Levant **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. 296

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carlow, Cloutier, Collings, Copeland, Corey, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenus, Hymanson, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett H, Millett R, Morales, Moriarty, Newman, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry A, Perry J, 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 - Austin, Bernard, Bickford, Blier, Carmichael, Collamore, Connor, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Morris, Nadeau, O'Connor, Ordway,

Parry, Perkins, Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Thorne, Tuell, Underwood, Wadsworth.

ABSENT - Andrews, Arata, Bradstreet, Cebra, Greenwood, Grignon, Hepler, Pierce, Prescott, Roche, Sharpe, Theriault, White.

Yes, 85; No, 53; Absent, 13; Excused, 0.

85 having voted in the affirmative and 53 voted in the negative, with 13 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-632)** 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-632)** 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-631)** on Bill "An Act To Clarify the Authority of the Department of Health and Human Services during a Public Health Emergency"

(H.P. 995) (L.D. 1344)

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 GRIFFIN of Levant **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. 297

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

ABSENT - Andrews, Arata, Bradstreet, Cebra, Grignon, Hepler, Johansen, Prescott, Roche, Sharpe, Theriault, White.

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

81 having voted in the affirmative and 58 voted in the negative, with 12 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-631)** 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-631)** and sent for concurrence.

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-626)** on Bill "An Act To Support Universal Health Care"

(H.P. 773) (L.D. 1045)

Signed:

Senators:

SANBORN of Cumberland
BRENNER of Cumberland

Representatives:

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

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

Signed:

Senator:

STEWART of Aroostook

Representatives:

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

READ.

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

Representative MORRIS of Turner **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 North Turner, Representative Morris.

Representative **MORRIS**: Thank you, Mr. Speaker. I rise in opposition to the pending motion. This bill would turn our health care system over to a small group of central planners. I think potentially another objection that we raised in committee is that this, the amended report, potentially burdens a future Legislature to our action. By waiting to see what the federal government does, we are, in not acting today, we are waiting to see and binding a potential future Legislature to the actions of this Legislature. We have a lot we can learn from Vermont's example when they tried to implement single-payer health care in their state. This is a quote from Vermont Governor Shumlin at the time; what I learned the hard way is that public financing will not work until you get costs under control. His single-payer proposal would have doubled Vermont's budget, raising state income taxes by up to nine and a half percent and placing an 11 and a half percent payroll tax on all employers, a burden Governor Shumlin said would pose a risk of economic shock, even though Vermonters would no longer pay for private health plans. The real root cause of high insurance premiums is high health care costs. That can certainly be seen with new mandates that get passed into the system. This also adds to our costs as health insurance.

I think there are many unanswered questions if we were to enact something like this. How would the government administer a single-payer health care plan? Who will be eligible for the plan and what benefits would it cover? Would there be any cost sharing? Would there still be private insurance allowed? And, the most important and most fundamental is; how would a single-payer health care system control health care costs? It's been said that having the government run your health care is like turning over your health care system to the Bureau of Motor Vehicles. I think that this is not something that the State of Maine needs to be involved in, we should learn from Vermont's example and reject the pending motion. Thank you.

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

Representative **BROOKS**: Thank you, Speaker, Women and Men of the House. Health care is a central issue of our time. We are living through a global pandemic and during this pandemic millions of Americans lost their health care coverage because they were no longer employed. Health care is an issue that we've been addressing at both the State and federal level time and time again. You know, I know many people, I've knocked on many doors and I've talked to many friends, family members and myself that we made health care decisions based on the ability to pay. When health care decisions are made based on the ability to pay, it can be unaffordable for many,

many Mainers. And if we were able to prevent illnesses or treat them early in the course, it would not cost as much in the long run. This legislation is dependent on what happens in the federal government, if it would pass enabling legislation for us to proceed as a state to look at this issue and look towards implementation, but I would say that it's the way to go and 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. We've sort of had an experiment the last year on government-run health care at the expense of all other care. COVID-19 flu has sort of taken over the minds of everyone that's had anything to do with funding free all of the care, or so-called free all of the care for COVID. And, in the process, much other health care has been ignored, which we are going to see ending up being in the next year or two many more cases, probably, of deaths from ignoring certain other diseases that should've been taken care of earlier. So, I think we have a good example of what single-payer health care will be if we let the government control it. And if you think health care is expensive now, wait till it's free.

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

Representative **TEPLER**: Thank you, Mr. Speaker. Mr. Speaker, for me, the most important thing here is Dirigo; Maine must lead. When the federal government makes it possible for states to pilot universal health care programs by allowing states to use our federally-run health care programs, Medicare and Medicaid, to use those monies and to control the ERISA-based programs which are self-funded, then we must be ready to pilot that kind of program. We must be one of the first states so that we can help all Mainers get the health care they need and they deserve.

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. 298

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazza, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenus, 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, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Andrews, Arata, Bradstreet, Cebra, Grignon, Hepler, Prescott, Roche, Sharpe, Sylvester, Theriault, White.

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

81 having voted in the affirmative and 58 voted in the negative, with 12 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-626)** 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-626)** 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 Medical Marijuana Cooperatives"

(H.P. 251) (L.D. 353)

Signed:

Senators:

LUCHINI of Hancock
FARRIN of Somerset

Representatives:

CAIAZZO of Scarborough
COREY of Windham
HARRINGTON of Sanford
KINNEY of Knox
McCREIGHT of Harpswell
RIELLY of Westbrook
TUTTLE of Sanford
WOOD of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-633)** on same Bill.

Signed:

Senator:

HICKMAN of Kennebec

Representatives:

DOLLOFF of Milton Township
SUPICA of Bangor

READ.

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

Eight Members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-627)** on Bill "An Act To Amend Certain Provisions of Maine's Drug Laws"

(H.P. 1246) (L.D. 1675)

Signed:

Senators:

DESCHAMBAULT of York
LAWRENCE of York

Representatives:

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

SHARPE of Durham

Four Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (H-628)** on same Bill.

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

COSTAIN of Plymouth
NEWMAN of Belgrade
PICKETT of Dixfield

One Member of the same Committee reports in Report "C" **Ought Not to Pass** on same Bill.

Signed:

Representative:

RUDNICKI of Fairfield

READ.

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

Representative PICKETT of Dixfield **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. 299

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, Hasenus, Hymanson, Kessler, Landry, Lookner, Madigan, Martin J, Martin R, Mathieson, Matlack, McCreight, McDonald, Melaragno, Meyer, 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, Austin, Bernard, Blier, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Thorne, Tuell, Underwood, Wadsworth.

ABSENT - Andrews, Arata, Bickford, Bradstreet, Cebra, Grignon, Hepler, Millett, Prescott, Roche, Sharpe, Theriault, White.

Yes, 80; No, 58; Absent, 13; Excused, 0.

80 having voted in the affirmative and 58 voted in the negative, with 13 being absent, and accordingly Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-627)** 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-627)** and sent for concurrence.

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

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-651)** on Bill "An Act To Facilitate Maine's Climate Goals by Encouraging Use of Electric Vehicles"

(H.P. 245) (L.D. 347)

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 Not 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 to Pass as Amended** Report.

The SPEAKER: The Chair recognizes the Representative from Hiram, Representative Wadsworth.

Representative **WADSWORTH**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to oppose the pending motion. Incentive rates like this are going to cost our other ratepayers and that's usually our poorest constituents. Mr. Speaker, I request a Roll Call.

Representative WADSWORTH of Hiram **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 Dexter, Representative Foster.

Representative **FOSTER**: Simply add that in the 129th, legislation was passed and went into Statute requiring the PUC to carry out pilot projects, and there are four of them and they are in place and during testimony on this bill, the PUC said that they seemed to be successful, however, they need more time to properly analyze those and although they didn't suggest that this bill was unnecessary, I will. 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, the bill before us would encourage the use of electric vehicles by making it more affordable to install public electric vehicle charging stations. It would involve a proceeding at the Public Utilities Commission where rate design could be considered to make that more affordable to those wishing to install public electrical vehicle charging stations. And, for that reason, Mr. Speaker and Men and Women of the House, I hope we can support the pending motion. Thank you.

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

Representative **THORNE**: Thank you, Mr. Speaker. I'm not sure if it was mentioned in committee or not, but perhaps these charging stations could be either solar or wind-powered to save the ratepayers? Is it too late for a floor amendment?

The SPEAKER: The Representative from Carmel, Representative Thorne has posed a question to any member who may care to respond. The Chair recognizes the Representative from Dexter, Representative Foster.

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

Representative **FOSTER**: Thank you, Mr. Speaker. I will rise to what I thought I heard as a question. These charging stations will be powered off the grid and any form of energy production source will obviously supply the power, including renewable energy. Again, I reiterate the concern; any time we pass laws that require incentive rates for anything like this, even though it is going to be beneficial to the State, it is an added expense to other ratepayers who have to pick up the loss of revenue or provide the money for the incentive, if you will, to those who are going to benefit from it. 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. 300

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carlow, Cloutier, Collings, Copeland, Corey, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, 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 - Austin, Bernard, Bickford, Blier, Carmichael, Collamore, Connor, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Thorne, Tuell, Underwood, Wadsworth.

ABSENT - Andrews, Arata, Bradstreet, Cebra, Grignon, Hepler, Martin, Prescott, Roche, Sharpe, Theriault, White.

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

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-651)** 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-651)** 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-638)** on Bill "An Act To Amend State Laws Relating to Net Energy Billing and the Procurement of Distributed Generation"

(H.P. 692) (L.D. 936)

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 Not to Pass** on same Bill.

Signed:

Senator:

STEWART of Aroostook

Representatives:

CARLOW of Buxton
FOSTER of Dexter
WADSWORTH of Hiram

READ.

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

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

Representative **FOSTER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First of all, I would like to thank my good friend, the Representative from Ellsworth, for all the work that was done regarding this net energy billing issue, the subcommittee work, the work on the language, the work with the stakeholders and those of us who had concern for our ratepayers, as so did that Representative. Mr. Speaker, this was all in an effort to try to repair what was done to the State's rate obligations because of legislation passed in the 129th, otherwise known as LD 1711, the Dow Solar Bill. That bill that I've referred to as prompting a solar goldrush in the State of Maine, made some big promises to those who earn their living from solar power; installation, operation, etcetera. Unfortunately, at often more than 10 cents a kilowatt hour of subsidy from our ratepayers, not to speak of tax incentives both on federal and state levels and other monies available for the installation of

solar power, we cannot as we look forward to green energy increases in the State of Maine, afford to have energy rates, electricity rates of this magnitude. So, this was an attempt to address that. Unfortunately, the result, in my opinion, does not go far enough and, once again, I will remind folks here of the testimony we received during this NEB discussion in the subcommittee from a representative with the AARP of Maine. And I'll quote; AARP 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 at the May 28th meeting. Our concerns reflect the high cost and unreasonable bill impacts associated with both proposals. If the proposals are adopted, the result would be a legislated approval of a 20-year contract between electric ratepayers and distributed generation solar providers that would require payments totaling \$115 million to \$153 million annually from ratepayers, resulting in a distribution rate increase of 15-20% annually. That was AARP's projections.

Now, I will again remind folks here and read once again findings or information provided by the Public Utilities Commission. This Public Utilities Commission has many experts on board. They have a large contingency that looks at these issues, not only do they regulate utilities but they try to look at pending legislation, they look at Statute and they report out to the EUT committee on findings on very many issues, most especially in the area of the electric utilities and rates. EUT committee members, please find below in response to Representative Foster's request some of the cost estimates that have been provided by the Commission to the NEB Subcommittee. The actual cost will depend on how many of the approximately 1500 megawatts of eligible projects under the majority amendment become operational. And I will only read the top quote; if an NEB capacity of 1500 megawatts is realized, the cost per year in millions of dollars will be 230.08 million. The estimated delivery rate increase to ratepayers including those elderly, those on fixed income, those poor that live among us, will be projected to be a 31% increase. I ask, Mr. Speaker, that we vote down this pending motion. Thank you.

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

Representative **HUTCHINS**: Mr. Speaker, has a Roll Call been called on this yet?

The SPEAKER: The Chair would answer in the negative.

Representative **HUTCHINS**: Then I'd like to call for one.

Representative **HUTCHINS** of Penobscot **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 Member may proceed.

Representative **HUTCHINS**: There's no exception, impatient people, when they perceive a problem, they want to fix it tomorrow or maybe this afternoon. And that's kind of how runaway the process of the Green New Deal has come about in, I believe, anyway. We have proposals that by the time, and I think we're going to continue with them unfortunately, by the time we get done paying for what's now the Green New Deal and the wind turbines and solar power that are unreliable power, as was proved in Texas not long ago and Maine really knows how to produce ice as compared to Texas, we will have spent so much money on this that we may not be able to afford what

might come next that actually might help the environment. Because this isn't going to. Thank you very much.

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, some of you are old enough to remember and, maybe not hearing it personally, but I've heard it played over and over throughout the years. President Eisenhower, when he was leaving office in 1960, he gave a farewell speech and he warned about the military industrial complex. And he was right. Well, I'm warning you about the solar industrial complex and I'm right already. This bill proves it and the rates that were just mentioned by the Good Representative from Dexter are going to be living proof of the solar industrial complex and the tail wagging the dog. Defeat this motion. Thank you very much.

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. Not only do I find it reprehensible that we will raise the energy rates, the electric rates on our elderly in the State and our people who really are lacking quite a bit of disposal income, I find it also reprehensible that the rates will continue to increase, they'll increase and we'll have other issues such as the recycling of these panels, that will increase costs and we will also, we could have another looming crisis considering golf courses used to be the largest user of Monsanto's Roundup in the State, now it is solar farms. 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. 301

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

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

ABSENT - Andrews, Arata, Bradstreet, Cebra, Grignon, Hepler, Martin, Prescott, Roche, Sharpe, Theriault, White.

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

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-638)** 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-638)** 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-640)** on Bill "An Act To Create the Pine Tree Power Company, a Nonprofit Utility, To Deliver Lower Rates, Reliability and Local Control for Maine Energy Independence"

(H.P. 1269) (L.D. 1708)

Signed:

Senators:

LAWRENCE of York
VITELLI of Sagadahoc

Representatives:

BERRY of Bowdoinham
CARLOW of Buxton
CUDDY of Winterport
GRIGNON of Athens
GROHOSKI of Ellsworth
KESSLER of South Portland
WOOD of Portland
ZEIGLER of Montville

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

Signed:

Senator:

STEWART of Aroostook

Representatives:

FOSTER of Dexter
WADSWORTH of Hiram

READ.

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

Representative WADSWORTH of Hiram **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 Dexter, Representative Foster.

Representative **FOSTER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This landmark bill, LD 1708, is likely the most provocative, complex and possibly detrimental bill we will consider in the 130th Legislature. I'll cover a few of the issues I see in it for you to ponder.

First of all, those supporting the bill claim it is not a government takeover but a customer takeover of the investor-owned utilities. Although one may question it by the way things seem today, as far as I know, the customers are citizens --

The SPEAKER: The Member will defer. It is very difficult to hear people speaking. There's a lot of side conversations occurring. If Members would like to have side conversations, I would request you take them behind the glass or out in the hallway. The Member may proceed.

Representative **FOSTER**: Thank you, Mr. Speaker. Although one may question it by the way things seem today, the customers, as far as I know, are citizens and the citizens are still the government. If this is a customer takeover, why are all voters in the State allowed to participate in determining if the acquisition will take place and that customers of the utilities will become financially responsible for its purchase? Currently, the IOUs are overseen by the Public Utilities Commission which reports to the Energy, Utilities and Technology legislative committee. Under the new proposed structure, the utility would be run by a politically-elected board, the PUC would continue to oversee the utility and report to the EUT committee. This adds another layer of complexity to the administration of the utilities and, more importantly, adds more potential for politics to play a larger role in that administration. With the proposed makeup of the board, it's very likely board members will be elected from counties around the State containing larger metropolitan areas at the expense of representation of more rural areas in the utility's service area. The State's voters in the 16 counties will be choosing board members to run the utility that doesn't serve the entire state or area of those 16 counties. The argument is often made that the current IOUs are poorly run, unreliable, etcetera. Even though the PUC commissioners are appointed by the Chief Executive and approved to serve by the EUT committee, they are responsible to oversee all utilities following the dictates of Maine Statute. I believe they do that very well. An argument being made in favor of the bill has been that the PUC has neglected its duties in regards to the electric transmission IOUs, which has resulted in poor reliability, billing issues, etcetera. Recently, a proponent speaking in favor of the bill stated and I quote, the IOUs have run roughshod over the PUC, unquote. During the last three years I've served on the energy committee, I have found the PUC has met its charge and, in fact, has stepped up pressure on the IOUs to correct past deficiencies and meet more stringent standards.

Two years ago, Commissioner Crystal Rhoades of Nebraska's Second Utility District was invited to the State House to speak to the EUT committee regarding LD 1646, the predecessor bill to LD 1708. Nebraska has publicly-owned utilities. In Nebraska, those utilities have been publicly run since the onset, starting with the first in 1892 and through rural electrification in the 1930s. None were the result of the government taking over a private company. Maine's COUs have a similar history. Some started as a result of a municipally-owned generation source and some to extend electrification into less-populated rural areas in the State. Recently, one of Maine COUs requested to become part of an IOU serving the nearby area due to costs it could no longer manage. No Maine IOU or a segment of one has done the reverse, even when the utilities were deregulated years ago. Regarding utility reliability, the commissioner said, from Nebraska, it's difficult to compare that state and Maine as they are inland and don't face the impacts of coastal weather that we do. They also have many fewer trees than the State of Maine. Nebraska utility rates, which include generation and transmission combined, are 10 to 20 percent below the national average for such charges. Rates vary there by utility and locality based on the generation available, local fuel availability and cost, pricing regulations and consumption. According to the commissioner, the chief reason rates are low and I'll quote, is that our elected boards prioritize lower rates in response to the consumer's demand for low rates. This focus on low rates contributes to decisions made regarding fuel mix and Nebraska's heavy reliance on low-cost coal, unquote. Regarding reliability, the commissioner stated, quote, a focus on

low cost also impacts investment in long-term capital and some maintenance gets deferred in order to keep rates low, unquote.

During our discussions, Commissioner Rhoades said the upkeep and modernization of the utilities infrastructure and investment in renewable energy was affected by the need to keep rates lower. She inferred that board members seeking reelection were reluctant to make decisions that would raise electric rates and put off such investments. The Commissioner raised a few questions for the committee to consider should the bill, this bill, progress and she was talking about the bill from the 129th. How does a politically-formed board have the right tools and incentives to properly oversee the new entity? How will the board's authority relate to the Maine PUC, also with politically-appointed commissioners? Will the politically-formed board have sufficient oversight of the utility to ensure proper investments in staffing? What are the political pressures the elected board may have and how might those pressures impact the investment and operational decisions of the utility? In regards to the most recent elections to fill two board vacancies with six candidates, there's this November 30, 2020 headline, quote, Cash Pours in to Nebraska Public Power District Board of Director Campaigns, unquote. Record-breaking contributions were made by out-of-state entities looking to affect the makeup of the board and its future actions. During the testimony we heard in the 129th, the EUT committee spent many hours, during several days, hearing that testimony and then working LD 1646, this bill's predecessor. This included financial analysis from London Economics and, in the end, it was decided more information and time was needed to properly analyze the proposal. The bill was amended to provide for more study and passed out of committee. However, it was set aside with the COVID shutdown. By contrast, in the 130th Legislature, LD 1708 came before the EUT committee for its hearing on May 20th. A work session was held on June 1st, along with many other bills, when the amended bill was voted out with a divided report. The amended bill was emailed to committee members for final language review yesterday at 10:20 a.m. To say 1708 was hurried through the process is an understatement. A bill of this magnitude with a potential effect on CMP and Versant ratepayers should've been thoroughly vetted in committee and by the Legislature with full public participation. Instead, it became a subject of a public ad campaign.

On May 20th, a large majority of those testifying in support of the bill at its hearing spoke in part and, in some cases, in whole to their belief that a COU would be more responsive to the installation and connection of renewable energy generating sources in Maine. They seemed to believe the current utilities were delaying these efforts. During the last three years, the EUT committee has heard many bills dealing with renewable energy. At no time do I recall a bill when either of the IOUs testified against investing in or expanding the installation of a renewable energy. Often, they testified in support of these bills and, when they didn't, testified neither for nor against. With this in mind, I'm not sure where those testifying for LD 1708 are getting information that the IOUs are not supporting moving to a carbon-free energy supply. I have not seen this. In fact, I was sometimes frustrated that they did not express more concern with some of the bills that I felt would be costly to the ratepayers I represent. Since restructuring of the utilities, the IOUs have only been responsible to transmit the energy produced, no matter the source, to their customers. Issues are too many to fully cover here with this bill, but I'll touch on a few more. The legal battle over the government taking of these private companies will be decided in a court of law and will likely take several years. Most estimates are 10 to 14 or more. The

purchase cost has been estimated at five billion to 13 and a half billion dollars and will depend on many factors, including property and materials value, projected long-term revenues, employee pensions and unfunded liabilities, etcetera, etcetera.

Property tax payments will end and a payment in lieu of tax will proposedly be paid. This will likely result in a tax shift from large communities or utility-rich towns, to smaller towns with less utility property because the state aid to education revenue sharing and county tax formulas are based in part on the amount of taxable property value each town has. The bill's exemption of property will remove the value from these calculations, even though the town will be compensated dollar for dollar. Thus, the large utility-rich towns will still receive the same amount of money but those property tax numbers will disappear from those particular formulas. A new operation company will run the new utility if this bill is passed. If the current IOU operators are not allowed to bid on running the new company, which it appears they will not, the new operators will likely be a concern from outside of the State of Maine. I'm not sure of the benefits or issues that might bring, but they may be many. Finally, current employees. The proposed legislation does not fully address what will happen with IOU employees. It appears nonunion management and support staff employees are not included in bill language that requires the new company to retain them. It also appears that employees of the IOUs who hold duplicative positions that are unneeded or they may not be released even if it would be in the interest of reducing COU costs and therefore consumer rates going forward. Although the bill refers to continuing employees as private, it is likely they would be found to be public employees, as has been the case in various past court findings where the company is responsible to a board of elected officials. If so, this would make the nonexempt employees subject to Maine law governing labor relations for public employees. In testimony received by the EUT committee from the IBEW Second District Vice President, Michael P. Monahan, he expressed concerns in this regard. And, if I may, Mr. Speaker, I'll read from his testimony. Statement opposing government takeover of power. The International Brotherhood of Electrical Workers opposes LD 1708, An Act to Create the Pine Tree Power Company, a Nonprofit Utility. Don't be fooled by the title. This is a government takeover of Maine's electric grid and it's a bad idea. We know from our extensive experience across the country how complex grid operations are. Maine's electricity customers as well as utility sector employees, our members, should not be subject to the significant uncertainty and risk that would result if the Legislature were to pass a bill that led to a government takeover of the grid.

The Legislature already passed a bill calling for further study of this issue. Their preliminary study identified significant unanswered questions that need to be addressed before anyone, legislators or voters, can make an informed decision. To date, those additional studies have not been conducted. This is too risky a proposal to rush through. LD 1708 will create far more questions than answers and possible litigation. A government-controlled electric utility would be bad for workers. Currently, utility workers can be effective in bargaining discussions. Our private sector counterparties are abreast of regional and national labor dynamics, market conditions and numerous other factors. Their real-time and real-world experience allows us to advance our concerns more effectively than we would be able to with a government-controlled entity. We currently have the right to use the threat of a work stoppage as a tool during contract negotiations when conditions require and find losing this right unacceptable. Proponents of a

government takeover claim we would still be private workers with that right, but under both federal and state law, the proposed operator of the electric grid in Maine would be a public employer, not a private employer, because it would be controlled by the proposed new government entity, controlled by the board of elected officials and under Maine law the employees of a public employer are denied the right to strike. A government-controlled electric utility would be a creature of Maine law and a future Legislature could eliminate any of our rights to reduce rates on the backs of utility sector employees. We have had and will likely continue to have conversation of benefit-related misalignments with our private sector counterparties. However, we believe our ability to negotiate will allow us to reach acceptable resolutions. Unfortunately, we do not have the same confidence if our counterparty is a government-controlled entity. We know from history that the way state employees have been treated does not demonstrate fair and equitable treatment for the workforce. For example, Maine State Troopers have had to endure furloughs, skipping pay periods and partial funding for retirement.

In particular, LD 1708 creates tremendous uncertainty with respect to our retirement benefits and those of our retirees by making some unidentified operator to be selected by the board of the government-controlled utility responsible for those benefits. In New York, a very similar structure resulted in significantly underfunded liabilities for the retirement benefits for the workers of Long Island's government-controlled electric utility, which is unacceptable for our members. A government-controlled electric utility is also likely to underinvest in the transmission and distribution systems in order to try to keep rates low. This is bad for reliability and customer service and dangerous and counterproductive for our members working in the field to keep the lights on in Maine. A government-controlled electric utility would be bad for customers, small businesses and Maine. Who will pay for the blank check that the Legislature calls for? Customers? Workers? Voters? The costs for a takeover are unknown and the Legislature's own feasibility study on the matter admits that we don't even know the final purchase price, but realistic estimates put the price for seizing the grid at 13 and a half billion dollars, which is more than triple the State budget of four billion dollars and there is a good chance it could be a lot more than that. While any such takeover is negotiated and litigated for years and years, we believe there will be little incentive for companies to invest in Maine's electric grid, improve reliability, address climate change and keep energy costs manageable. This will harm the outlook for Maine's electricity customers and Chief Executive Mills' carbon reduction plan for decades to come. This bill skips too many important steps. It skips the further studies that the Legislature has called for and it skips the normal process to put something on the ballot that requires supporters to gather 60,000 signatures. It's irresponsible to take so many shortcuts on an issue that is going to affect thousands of workers and hundreds of thousands of customers for decades to come. Michael P. Monahan, International Vice President, IBEW Second District. Mr. Speaker, I'll wrap this up by saying, and if I didn't already, I'll request a Roll Call at the end here. I'll wrap this up by saying this is an extreme measure, it will be extremely costly, I believe, for all the ratepayers of Maine, decisions will be made by citizens of the State that are not even involved as ratepayers under the current IOUs. I think that the representation will be political. I can see nothing but ill issues coming for us here in the State of Maine and most of those, I believe I've mentioned but, believe me, there are a lot that I didn't cover in this bill. I would suggest

that everyone follow my light and vote down the pending motion. Thank you Mr. Speaker.

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

Representative **CUDDY**: Thank you, Mr. Speaker. I rise in support of the motion. In our current state of affairs regarding our investor-owned utilities, we are sending millions of dollars out of the State, out of the country, that could be used to improve our grid, could be used to improve the reliability of our grid, the cost of our electricity, the safety of the people who do the work on a day-to-day basis, any number of things. But we don't currently have control over those profits because they are controlled by boards and companies that aren't based in the State of Maine. The profits, therefore, leave this State. The ratepayer dollars that go to these companies leave the State, leave the country. We lose control over our own energy destiny because of our current state of affairs. As a proud union electrician for the last 16 years, a member of the IBEW Local 1253, which is chartered right here in Augusta, I really want this to change. I want us to take control of our energy independence, our energy future and LD 1708 is a way to do that. We can send this question to the voters, we can have this well thought out, well researched, three-year-long odyssey of a bill that we can present to them and we can let them make that decision if they want to do this or not. And I hope this Body will, indeed, do just that. Thank you very much, Mr. Speaker.

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, is this April 1st or is this June 15th? I'm not sure, because it certainly feels like an April Fool's joke. Mr. Speaker, why don't we just take over health care, withdraw all the licenses from any health care company, whether it be Anthem Blue Cross or Cigna or any of those, withdraw them, just take them away. That's what we do, we're government, we can do what we want. We know what's best for everyone in this State. They don't know. Are you kidding me? Why don't we call this Russian health care? Why don't we call it Chinese electricity, I'm sorry. Why don't we call it Cuban electricity or Venezuelan electricity? The name Pine Tree just does not fit. We are not a communist state. We do not take business over against their will and drive them out. Why don't we take over supermarkets? We don't like the price of meat right now, let's take over the supermarkets, withdraw their licenses, don't let them renew any more licenses. Let's take restaurant licenses away, too, because we don't like the price of lobster rolls. I paid \$36 last week for a lobster roll, Mr. Speaker. Why don't we take over gas stations? Then we can control the cost of fuel. Why don't we do that? Wouldn't that be a great idea? Let's take over shopping centers too, because I don't like the price my wife pays for the shoes that she buys.

For crying out loud, guys, something as important as solar, we as a Body can't even decide or acknowledge that we have a problem. We don't know how we're going to dispose of all the tons of cadmium and lead in 20 years. We don't care, no, because it's green, Mr. Speaker. We don't care. Nebraska, we heard about Nebraska and their low electricity rates. They don't have a transmission and delivery fee, Mr. Speaker and they've gone up 20% in ten years. Do you know what our electricity has done in 10 years? Our supply? It's gone down 15%. Transmission and delivery has gone up. We have a much different climate here than they do in Nebraska. Overall, we've gone up a penny and a half in 10 years. That's not good enough for us, Mr. Speaker, no. When we started talking about solar

and wind a few years back at the State House, I have a lot of good friends that are making out very well now in the solar and wind fields that, coincidentally, served here and supported those fields. I wonder what's going to happen when some of us term out now and we go to Pine Tree Power. What's going to happen? Are they going to be rewarded in the pocketbook? Just a question, Mr. Speaker, I'm not sure. But I would guess pretty much that's what's going to happen. Thank you, Mr. Speaker.

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

Representative **KINNEY**: Thank you, Mr. Speaker. May I ask a couple questions through the Chair?

The SPEAKER: The Member may proceed.

Representative **KINNEY**: Thank you, Mr. Speaker. My first question is if this is a consumer-proposed takeover of utilities, why does this add nine legislative count positions to the government-controlled public utilities commission, which is three staff attorneys and six utility and analyst positions? And if this is not a government-control takeover, then why is there a government fiscal note of \$3,645,263 which will be added to the baseline budget for years to come? Thank you.

The SPEAKER: The Representative from Knox, Representative Kinney has posed a question to any member who may care to respond. The Chair recognizes the Representative from Ellsworth, Representative Grohoski.

Representative **GROHOSKI**: Thank you, Mr. Speaker and my Colleagues in the House. Good evening. I appreciate the opportunity to speak in favor of the pending motion and I will try to be brief. Most of us don't think much about how we get our electricity until something goes wrong. Unfortunately, here in Maine, that happens all too often. With our investor-owned monopoly noncompetitive utilities, CMP and Versant, Maine has the least-reliable utilities nationwide with the lowest customer service ratings, bar none. Maine also has the 10th highest residential electricity rates nationwide. Maine's for-profit utilities deliver electricity for 58% more money on average than our consumer-owned utilities and rates are only going up. Case in point, in my region, Versant has just proposed a 25% rate increase on our transmission and distribution costs. Now more than ever, we need electric utilities that will perform well day in and day out and not break the bank for Maine's people, businesses and industries. We need a utility that can reliably and affordably deliver locally-produced clean energy as we electrify our economy in the face of a changing climate. Maine's profit-driven utilities are failing us. Nationally, consumer-driven utilities are twice as reliable as profit-driven utilities. It is time for a change. That is why I support the pending motion to create the Pine Tree Power Company, which would be a nonprofit utility and deliver lower rates, reliability and local control for Maine's energy independence. This bill is the result of three years of research and refinement by the Legislature and its members, working with experts in law, utility management, utility regulation and oversight, economic analysis and renewable energy deployment on each and every nitty-gritty detail of this bill. You heard from the Representative from Dexter that we took a break from our work last year when the Legislature adjourned. He may have, but we did not. I stand with a coalition of Maine people who want and deserve more affordable, reliable and cleaner electricity. While our profit-driven utilities are sending money abroad instead of investing in sorely-needed upgrades, Maine also has nine not-for-profit consumer-owned utilities that provide excellent service to 97 towns at far lower costs. In fact, Maine residents would save \$155 million per year on our electric bills if

CMP and Versant charged the same average rate as our consumer-owned utilities do in Maine.

Maine's consumer-owned utilities are not managed by magicians, however. It's just that their job is to serve customers, not to earn income for shareholders. Consumer-owned nonprofit utilities qualify for lower interest rates so they can invest in improvements to our electricity systems at 2-3% interest versus the 8-13% we pay now. And our consumer-owned utilities are overseen locally and transparently by our friends and neighbors who have our best interests in mind. We know we'll need to expand our grid over the next few decades to move to an electrified economy. Making the switch to consumer ownership instead of private, noncompetitive monopoly or government ownership will save Mainers \$9 billion over the next 30 years, according to economist Dr. Richard Silkman in his review of a report presented to the Legislature by London Economics International, LLC. Dr. Silkman is joined by other prominent Maine economist, the Honorable Dick Woodbury and Professor Emeritus of Bowdoin College, David Vail, in pointing out that we simply cannot afford to pay the high interest rates that we would need to build critical infrastructure under the investor-owned model. This is just basic math. With the Pine Tree Power Company, Mainers will save money and see improved service. Frankly, things cannot get worse than they are now. Maine people deserve the right to decide our energy future, not just for the next few years but for the coming decades. The State has the legal authority to revoke the monopoly privilege of CMP and Versant and move forward for the good of Maine people. It is time to take charge of our critical electrical infrastructure and break free from distant corporate shareholders and foreign government owners who prioritize profits over performance. Please join me in supporting the pending motion to send this well-researched and thoroughly-vetted proposal to the voters for their final ratification.

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

Representative **KESSLER**: Thank you, Mr. Speaker. I wanted to respond to the comments of the Representative from Auburn about why don't we have Russian electricity or Chinese electricity. Mr. Speaker, the government takeover has already happened, it's just not our government. Our investor-owned utilities are owned by foreign governments, Mr. Speaker. Versant is owned by the City of Calgary. Our ratepayer dollars are paying to fix the sidewalks in Calgary. Our ratepayer dollars paid through our rates in CMP territory go to Qatar, Spain, Norway, instead of being reinvested in ourselves. This is a matter of energy independence, this is a matter of sovereignty. This is a matter of us controlling our own energy future. 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. Let's make this simple. Let's clear away the political fog of this costs this or this costs that or why we're going to do this or why we're going to do that when it comes to this bill. Plainly and clearly, this is the heavy hand of government forcibly taking private property by eminent domain. I cannot think of many things more anti-American as that idea. The founding fathers enshrined into our documents originally life, liberty and property before they changed it to pursuit of happiness. And there's a reason for that. The countries they escaped from, the governments, the kings and the queens and the dictators and all those, they controlled the property. The people that came to this country escaped those tyrannical ideas

and I cannot believe that in this country today we're even considering these types of things.

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

Representative **CARLOW**: Thank you, Mr. Speaker. Mr. Speaker, electricity is central to our quality of life and the responsible stewardship of the lines and poles that deliver this crucial technology to our homes is critical to our state's economy and the people and industries that sustain it. The people of the State of Maine have given our investor-owned utilities a franchise to do business here without competition and therefore they have provided these companies with certain profit with the expectation that they will make sufficient investment in our power grid and guarantee reasonable standards of reliability and customer satisfaction. Mr. Speaker, this policy protects monopoly control of our electric industry and where monopolies occur, consumers are at risk. Exhibit A; in 2013, Central Maine Power ranked among the best utilities in the nation. But in a period of less than a single decade, Mr. Speaker, it has gone from best in class to the worst public utility nationwide. As a result, Maine has the longest and most frequent outages anywhere in the country. CMP has the worst customer service in the country. And, to add insult to injury, we have the 10th-highest rates in the country. The incumbent utilities are also owned or partially owned by foreign governments. The City of Calgary in Alberta, Canada has total ownership of Versant Power and CMP's parent company, Avangrid, is owned by the Spanish corporation, Iberdrola, which is partially owned by the governments of Qatar, Norway and Spain. Mr. Speaker, this exposes a serious threat to our national security as foreign adversaries such as China or Russia could buy our power grid tomorrow and there is simply nothing that the Legislature could do to prevent that from occurring. Under this foreign ownership, the incumbents have been afflicted with scandals such as mismanagement, crony capitalism and very poor performance.

For these reasons, I have concluded that the current business model is no longer in the best interests of the people of Maine and after a thorough analysis of consumer-owned utilities, I do intend to vote in favor of the pending motion. For weeks, the political arms of Central Maine Power have been engaged in a ratepayer-funded public relations campaign full of fallacy, deceit and half-truths strategically plotted to frame this bill as something it's not. The first Pinocchio goes to the claim that this is government-owned power. False. If it were to be government owned, then it would use state tax dollars. Its board would be comprised of members appointed by the Chief Executive and confirmed by the Legislature and taxpayers would be on the hook for its debt, none of which is the case. The bill establishes a not-for-profit consumer-owned utility named Pine Tree Power with a board comprised of members elected by the people and it doesn't use a dime of taxpayer dollars and won't rely on state-issued bonds, it will be held to regulatory standards by the Public Utilities Commission as well as other agencies. Second Pinocchio is that this bill represents a government takeover of two private companies. False. Title 35-A, Section 1511, is clear that public utilities, which the incumbents are, that are unfit to serve may have their franchise revoked and be compelled to sell to another company who will run it better. The claim that public utilities should be absolved from their commitments to ratepayers is certainly a new and dangerous precedent. The third and final Pinocchio is that consumer ownership of our power grid is too risky or too expensive. The fact is that this is not a new idea. Consumer-owned utilities serve one in three U.S. households, currently there are nine consumer-owned utilities operating in Maine,

servicing 97 Maine towns from Calais to Kennebunk. Since this new company is a nonprofit, investment goes to where it's needed, not to foreign investors in foreign lands. This is one of several reasons why COUs provide exceptional reliability to their customers all the while charging them 58% less than the investor utilities do. So, Mr. Speaker, this draws me to the inescapable conclusion that these utilities either didn't read the bill or they are deliberately mischaracterizing it to the lawmakers and the Maine people. Mr. Speaker, the risks of maintaining the status quo are too great to ignore. This legislation should be sent to the people so that they can decide for themselves. Thank you, Mr. Speaker.

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

Representative **PARRY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We've heard a lot here today about reliability and about this magic new company that's going to take over and make it way cheaper for us to have our power. But as somebody that's lived here my whole life and I'm approaching 60, so, I've been a customer of CMP for almost 40 years, I don't know what the people are talking about when they say unreliable. When I flip the switch, it's there. Of course barring a car ran into a telephone pole and knocked the power out and within a few hours CMP would be there to fix the telephone pole and get the power back on or short of having a nor'easter and we have 15 or 20 inches of snow and 70 mile an hour winds that might knock down some trees and, you know, we have pretty bad winters here in Maine. And I know we have a lot of new people to Maine that come to Maine that might not realize that yet, which is fine, they'll learn that going forward. But no matter who runs this utility, we're still going to have cars hit poles that will knock out power, we're still going to have nor'easters where we have 70 mile an hour winds and 15 or 20 inches of snow. We still will lose power at some points in the winter, no matter if CMP is the company or this magic company that we have no idea who it will be. As all I know, in my almost 40 years of being a CMP customer, when I flip the switch, they're there and the lights come on, short of disasters happening from weather or actual accident.

So, you know, all this talk about reliability and if there's an issue with CMP, which they've had issues on billing and some other stuff lately, let's fix it. Let's not throw the baby out with the bathwater here. It's been a great company for the 40 years that I've been a customer and I believe that if there's stuff that needs to be fixed with the utilities, let's fix that. But to say that abracadabra we're going to have this new company that's going to be perfect and we'll never lose power and we'll have cheaper rates is a pipedream. And I just hope people realize that over the course of time, CMP has been a great customer for the people that they cover, as I said, I've been a customer for almost 40 years. Thank you, Mr. Speaker.

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

Representative **KINNEY**: Thank you, Mr. Speaker. I have to agree with my Colleague from Arundel with his comments about the reliability. I own a business that for six weeks out of the year we use a tremendous amount of power and when we first built the business, they didn't believe that we would use the amount of power we were going to use. We have one piece of equipment that needs a minimum of 200 amps and they only put a 200-amp transformer on our pole. We now have a 400-amp transformer there because they did replace it for us, very timely, because as sap is coming in, we need to be able to process it in a timely manner. And although I'm not always happy with

everything that is done by CMP, the reliability has absolutely been there for us when I've needed it. I do have one more question I'd like to pose through the Chair.

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

Representative **KINNEY**: Thank you, Mr. Speaker. If this bill does not use taxpayer dollars, then where exactly does the \$3,645,263 come from?

The SPEAKER: The Representative from Knox, Representative Kinney has posed a question to any member who may care to respond. The Chair recognizes the Representative from Carmel, Representative Thorne.

Representative **THORNE**: Thank you, Mr. Speaker. I'd like to say you're getting better at the pronunciation, but I can't. I'm wondering where the money generated that goes into this power account will go. Will it stay in a maintaining the power grid, replacing poles and lines account or will it go to the State's General Fund for the State to spend as they see fit? And, if that's the case, my concern, Mr. Speaker, is we need only look at the condition of our roads and bridges to see what our power grid system will look like if it becomes state owned. Thank you, Mr. Speaker.

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

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

If passed, Mr. Speaker, this new carefully-crafted bipartisan bill would go to the voters for final ratification this fall. If ratified, it would allow us to elect an accountable and transparent board of directors whose only purpose will be to benefit Maine people and businesses. The Pine Tree Power Company, Mr. Speaker, will restore the power and the independence of the people and businesses of our great State. Every month at present the 800,000 captive combined customers of CMP and Versant pay monopoly rent for the use of a monopoly grid. That monopoly, Mr. Speaker, is a privilege accorded in law conditionally by the Maine State Legislature and Chief Executive and can be revoked at any time. With Pine Tree Power Company, we will play a lower monthly bill. Equally important, it will no longer be a rental payment but a mortgage payment. We will save money, invest in and improve the grid and build our own equity. In partial answer to the Representative from Knox, the bill does not rely on state monies, neither the fiscal note nor the acquisition that it propounds and proposes. Like all consumer-owned utilities, the company will finance its acquisition through revenue bonds. The revenue bond market in the United States is worth about \$2.4 trillion, that's trillion with a T. If you have a pension, you own revenue bonds. Because revenue bonds are very secure investments and are tax exempt to both the buyer and the seller, their interest rates are low. This means that for all future investments in our grid, and we will need many, we can pay about the half the cost that we pay now and be building our own equity ownership as well.

Mr. Speaker, we stand today at a historic crossroads. To succeed in decarbonizing, we will need to depend entirely on a single monopoly system of poles and wires. So, here is the fundamental question before us; what is the right business model to depend on? Based on the 140-year history of electrical utilities, what is the right path for the next 140 years? Chevy's fleet is going all electric. Just a few weeks ago, Ford rolled out its new line of all-electric F150s. What does this mean? It means that if we are successful, if we are to leave a livable planet for our children, then our entire lives will depend on the

electrical grid. The implications are staggering. Maine's success as well as the moral example we establish for others are in our hands at this moment. Today, just 7% of Maine's emissions come from electricity. To address the other 93%, we must subject ourselves to a total unabridged dependence on this single set of poles and wires. Upon this set of poles and wires and upon the business model we choose depend the future of our children and grandchildren. Mr. Speaker, who here can name the first six American communities that reached 100% renewable electricity? They include Georgetown, Texas, Greensboro, Kansas, Burlington, Vermont, Aspen, Colorado, Rockport, Missouri and Kodiak, Alaska. They are a diverse and largely conservative set of communities. What do they have in common? One thing; all six are served by consumer-owned utilities. Most large utilities are investor-owned. Yet among all large utilities in the U.S., the leader in the race to 100% renewables is the Sacramento Municipal Utility District, or SMUD, for short. With an elected board of seven, just like the board propounded in this bill and a large, partly rural service area with 1.5 million customers. SMUD fully expects to reach 100% by 2030. That's a full 20 years before Maine even hopes to do so.

Today, Mr. Speaker, we've heard a lot of talk about risk. There's risk in either path we choose. The greatest risk is to keep accepting IOUs as an answer to our problems. The greatest risk is to entrust our children and grandchildren's future to a system that begins with energy monopoly, proceeds at times to energy colonialism and because power corrupts, at times even ends in energy tyranny. Today we must all assess the risks for ourselves. I ask that we not just take it from those whose lobbyists have been flooding the hall outside and asking us to choose the road that belongs to them. At times, as a wise person once wrote, it is far better to take the road less traveled by. Last year, Mr. Speaker, the Legislature received an independent feasibility study that we have commissioned together to assess this idea legally and economically. Legally, the so-called LEI report showed that the idea is rock-solid. After all, when a utility fails to perform, it can and should lose its legal monopoly privilege. Economically, the study showed the idea would most likely save Maine hundreds of millions of dollars. Mr. Speaker, a subsequent pro bono review by Dr. Richard Silkman pegged the 30-year savings a lot higher at \$9 billion. That feasibility study that we all commissioned and that the PUC chose the bidder for also made some very helpful recommendations which are incorporated in this bill. They include a clarified climate and jobs-focused mission statement, a shift to an elected board with ample resources and staff to contract with a highly-qualified private sector operations team, a streamlining of the acquisition process, added protections both for workers and, importantly, for municipalities, requires strict PUC oversight of the entire process. And, to the question asked earlier by the Representative from Knox, that oversight of the transition is the reason for some additional positions, temporary positions at the PUC. And, finally, Mr. Speaker, it sends the proposal to voters for final ratification in November of 2021. Those are the principal changes from the bill of the previous Legislature. So, just to be clear, ownership is by the consumer, at the top of the organizational chart. Oversight is by the elected board, next level down, as well as the Legislature and Public Utilities Commission. Operations at the base are by the private operating company or companies selected on the basis of ability and expertise and compensated based on their performance. Imagine that; private sector sharpening of the pencil through competition.

Mr. Speaker, in 2005, the people of Winter Park, Florida were tired of extended outages from hurricanes so they voted, over the objections of a large utility, to buy out their portion of that utility. That utility outspent their independence effort 10 to one. They said the sky would fall and the world would end. But what did happen? Sixteen years later, the new nonprofit utility of Winter Park has buried almost all its power lines and has almost no outages ever. As compared to the utility they separated from, rates are lower, too. This story has unfolded multiple times in other locations. A conversion to consumer ownership took place in Long Island, New York, where the most expensive utility in the nation was converted in 1998 and rates dropped immediately by 20%. A conversion took place in Jefferson County, Washington, where the exiting utility was paid at the high end of the range LEI estimates and yet the new COU has achieved savings, improved reliability and created jobs. Where these conversions have actually happened, Mr. Speaker, they have been extraordinarily successful. The people of Maine will directly elect all voting members of the nonprofit Pine Tree Power Company board. Their meetings will be fully public and transparent. The company will abide by a clear and mandatory mission statement, improve our reliability and customer service, keep our rates low and ensure that we meet or exceed our climate and connectivity goals.

History is a great teacher, Mr. Speaker. Once upon a time, a backwater city in Tennessee had electricity only for the 5% who were white and wealthy. All others languished in poverty and in the dark. But then a consumer-owned utility was created in Chattanooga and within only a few years, the city was electrified, with every home able to afford lighting and radios and refrigerators from Sears and Roebuck. Fast forward to 2005, however, a new inequality had emerged. A few in Chattanooga had expensive, high-speed cable internet, but most did not. So, the city's electrical utility went into broadband. Fiber optic cable was strung on every pole, connected to every building and every home. Today, Chattanooga has emerged as the gig city, with a bustling and entrepreneurial renaissance that is the envy of the nation and lightning-fast, affordable gigabit service available to every home and business, rich and poor alike. This, too, is the power and potential of consumer ownership. The Pine Tree Power Company will reduce the cost and delays of pole access in our rural areas, working closely and proactively with our competitive internet service providers to light up every part of Maine with affordable, high-speed internet. This is a historic watershed moment for electricity and for broadband and the Pine Tree Power Company is the right tool for the job.

In closing, Mr. Speaker, I want to thank the three members of my committee who voted in opposition to this bill as well as others who have expressed concerns this evening and all Members of this Body for their service to our State. I know we all care deeply and passionately about our State and about the future of our children, our grandchildren and the planet they will inherit. That is what this bill is about. It is about Maine's moral leadership in the face of the most immense and dire challenge of our time. And I do especially want to thank my very active and committed co-sponsors, two from each of the four largest caucuses in the Maine Legislature and from every corner of our great State. I want to thank the 10 bipartisan members of the committee, eight Democrats and two Republicans, who voted in favor of the report before us. The supporters of this bill wish to take back our power not because we're Republicans, Independents, or Democrats, but because we are Maine. We are proud of our heritage, we're proud of our work ethic and ingenuity and community spirit. We're proud of our strong tradition of self-governance. We wish to lift up every corner of

our State. We propose that we face our energy and climate future together, bound by our common enterprise, bound together by the common network of poles and wires and cables we may someday proudly call our Pine Tree Power Company. Today we believe it is time to declare our independence. It is time that we bid au revoir and adios to those who claim to own our energy destiny. We can instead embrace our future, our possibility, our power, the power of our majestic Pine Tree State. I urge you, Mr. Speaker and all my colleagues, not to stand in the way and to prevent Maine people from having a say in the direction we choose at this important crossroads. I urge you to send this question to the voters and to vote in favor of the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Brewer, Representative O'Connell.

Representative **O'CONNELL**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I did not want to speak today. As a matter of fact, I'd rather sit down right now. I've been a lineman for 34 years. I started with Hydro, went to Emera, now I'm with Versant. When the Bangor Hydro elite worked a deal to have us bought out by Emera, they told us it was the best thing since sliced bread, but it was nothing but burnt toast. It was absolute burnt toast, it was horrible. I equate it to the Huns coming across the border. They left their heart and soul at the border. Emera came in three waves. The first wave, absolute Huns. The second wave, they were a little better, the third wave, they were actually pretty good. Versant has not been bad to deal with, I think we've dealt with one HR person since COVID. They've been okay to work with. I was still in the military when Emera first started and before the sale, I made it a point in each five of our divisions to fly the flag. It really made me angry to know that I was going to be owned by a foreign country. So I made it a point to fly that flag in every division. And then when we closed that deal, when they closed that deal, I took those flags down. It's a mixed message that I have here today, it really is. Because I went into every single deal with optimism. I was, pardon my French, but I was pissed, I didn't like it at all, but I went into it with optimism and my optimism really, really waned, it really, really did. And since I've gone on every day, there's not a soul in here that knows what it's like mixed messages, my optimism it's not there. I don't have the faith, I apologize, I don't. I still try to be optimistic every single day but, I apologize, my optimism is not there. Thank you, sir.

The SPEAKER: The Chair recognizes the Representative from Madison, Representative Ducharme.

Representative **DUCHARME**: Thank you, Mr. Speaker. I rise tonight in opposition to the pending motion. Since I'm not a CMP or a Versant customer, I don't really have a dog in this fight. Therefore, I'm trying to look at this as a banker looking at a commercial venture. The bill before us provides for the acquisition of the assets of the current investor-owned utility. In reviewing the language of the bill, I see that the proposed Pine Tree Power will either purchase the assets of the current provider or take them by eminent domain. Eminent domain refers to the power of government to take private property and convert it into public use. The proponents of Pine Tree Power say this is not a government takeover. However, by definition, only government may take private property and convert it to public use. As a test of the thought process of the purchase of the assets of the investor-owned utilities, I looked at the assets owned by CMP in the town of Madison, a town served by Madison Electric Works, a quasi-government-owned utility. CMP owns roughly \$22 million worth of assets in Madison, according to the tax assessed value. It is said that CMP serves

60% of the municipalities in Maine. If 258 towns are served and all have roughly the same asset value, using Madison as an average, that means there's roughly six billion in assets to be purchased and this doesn't count the assets of Versant. Now we get to the banker piece. If that same six billion is financed using revenue bonds, as is proposed, at 2% interest, the annual debt service on that money is roughly \$267 million. CMP operating revenue for 2020, according to the reports that they filed with the PUC, was \$871 million. Their operating cost with no debt service was \$697 million, leaving \$174 million to pay debt service and they don't have any debt. That leaves Pine Tree Power about \$92 million short annually. Mr. Speaker, I would urge this Body to carefully consider the actual cost of this proposal. The Good Representative from Bowdoinham says that no taxpayer money will be needed. The proposal touts the cost savings for consumers, suggesting to me that those revenue numbers will be lower than those of CMP. The mathematics of this proposal don't work. I urge my colleagues to vote against this bill. Thank you, Mr. Speaker.

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

Representative **DRINKWATER**: Thank you, Mr. Speaker. You know, when I was a teenager, we owned a camp and some people from Connecticut come in and said Mr. Drinkwater, we want to buy your camp. And dad says well, it's not for sale. No, you don't understand, Mr. Drinkwater, we're here to buy your camp. Well, he gave them a price they would never pay; they wrote a check. So, if I'm CMP and you're saying hey, we're going to buy you out, well, I'm going to give you a price that I say you will never pay because that's going to make my shareholders happy. I'd like to remind this Body that we operate in a global economy. There may be some people in this Body that own shares in CMP. They're receiving a profit. I don't know if I own any shares in CMP because I trust my stock investor. So, I'd like to point out that, 24 years ago, in 1997, the State of Maine deregulated the price of electricity. The reason behind it was it was going to save us cost in electricity and it was going to give us choice. I'm a customer of Versant. I really haven't seen the choice yet. When was the last time, I've asked myself this, Mr. Speaker; when was the last time I saw government run anything well? Basing my opinion on the pandemic and what happened with all the unemployment and that didn't go well. I look back on the ice storm of 1998. What would this Pine Tree Power do if something like that happened? That, as we all know, the CEO at the time, I think it was Chief Executive King, had to rally a tremendous amount of private assets to get the power back on and, from my own personal, you know, I think Bangor Hydro did an exceptional job, I was out of power for only seven days. I question, you know, I'm hearing them say well, we're going to save millions, you're going to save millions. Well, what are we buying? My electric bill says I have two charges; the delivery charge and the price of generation. So, are we going to buy both components or are we just going to buy the generating facilities? I think I'm hearing we're going to buy the delivery systems also.

So, Mr. Speaker, we don't even know what the price is going to be because we haven't negotiated a price, but I'm hearing we're going to save millions, but we don't know the purchase price yet. That kind of reminds me of what I did for a living, Mr. Speaker; selling automobiles. Will Pine Tree Power, will they be buying the shares? Will they be buying out the shareholders? So, I just quickly went online, Mr. Speaker. Currently, \$2800 a share for CMP. Outstanding shares? 31,211,471. So, what are we going to do with all that? Obviously, the shareholders want in on this. And, Mr. Speaker,

I won't keep you long, sir, because I know it's a long evening, but just by looking at that, it doesn't look like it's a good deal for the State of Maine. Thank you.

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

Representative **BABBIDGE**: Thank you, Mr. Speaker. Very briefly. I've been a customer of a consumer-owned utility for 40 years. In service and in cost, we are the envy of York County. The former director of KLPD is now a major advocate for this proposal. This is going to be very good for most of us in the short-term and very good for all of us in the State of Maine in the long-term. I urge you to vote yes on this motion. Thank you, Mr. Speaker.

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

Representative **BLIER**: Sorry, Mr. Speaker, I thought my light was on, but it was not, but I'd like to speak on the motion, if I may. Thank you. Before I speak, Mr. Speaker, may I ask a question?

The SPEAKER: The Member may proceed.

Representative **BLIER**: I noticed that there's a lot of empty chairs. What I have to say is important; could you ring the bell so people could come back? Could I get a quorum, please? Quorum call.

Representative **BLIER** of Buxton inquired if a Quorum was present.

The Chair ordered a quorum call.

More than half of the members responding, the Chair declared a Quorum present.

The SPEAKER: The Chair believes a quorum is present. The Member may proceed.

Representative **BLIER**: All right, thank you, Mr. Speaker. So, I rise today, folks, because this is important. I think there's been a lot of play on words and I need you to open your minds up a little bit and think of this freshly for a minute. Forget everything you've heard and just hear me out. Warren Buffet, everybody knows who he is, he comes in to buy a business, all right, he comes to the State of Maine, he's going to buy our electrical grid. So, he hires two companies; company A and company B. Company A goes out, they check on transformers, they check on distribution centers, they check on power lines, they do profit and loss statements and they do an analysis of what that company is worth. So, Warren Buffet comes to company A, they give him the presentation and they say, you know, this is what, you know, you should be paying for this company and this is how much money you're going to make in return on your investment. He goes to company B and company B says yep, we have a group of people that read a study and they said you should buy it. Really? How much should I pay for it? Oh, they don't know because it's not for sale. You see, you're going to be in litigation for 10 years and it may cost you about \$29 million and if you win, then the courts will tell you what you're going to pay. But if you lose, you may be responsible for their court costs as well. It doesn't make any sense, right? In the town of Buxton, Central Maine Power came in, they're going to build a distribution center; \$60 million is what they're going to spend to build that distribution center. What's the taxes to my community on that \$60 million distribution center? We won't receive that anymore. That's huge. We're saying that we're going to be able to save taxpayers, ratepayers \$9 billion over 30 years. When banks lend money to corporations, they lend on risk, not on who they are. A company that's owned Central Maine Power is a very low-risk company. They have assets, they have corporations in other places. To say that they're going

to borrow money a lot more than a consumer-owned utility, to me, is so far-fetched, it's unbelievable. But let's just take this for a point, right? Right now, we're borrowing money at 3%. Let's say that we are able to borrow the money at 1% less than them. To make \$9 billion over 30 years, you have to borrow \$57 billion. If we're buying this company at \$13 billion, where's the other \$44 billion going, if we're going to save \$9 billion; that doesn't make any sense. If you guys believe that we're going to save \$9 billion, I don't even see how you get to that number mathematically, it doesn't make any sense.

Next, we're going to run this company by elected officials. And, like the Good Representative from Buxton said, you know, if institutional knowledge is vitally important. It's like saying that the Good Representative from Eagle Lake, he's no longer able to serve, we're going to replace him with a freshman that's going to be equally as knowledgeable, right? That doesn't make any sense. Elected officials; if you're going to elect somebody, right, look, we got elected, most of us, because we have an R or a D or an I in front of our name. It doesn't mean we have the most amount of knowledge. You're going to elect somebody, it doesn't mean they have knowledge about running an electrical grid, they could just be the most popular person in the community. Is that good for the State of Maine? Is that going to be able to run a company efficiently? I mean, I just don't get it. I just don't get it. You know, we're buying this company on people that read studies. I read a study once that Maine could hire trucking companies to fill box trailers full of snow and ship it to Alaska and we could sell it to Alaska and we could make money because we get our snow for free. Right? Mr. Speaker, that's a metaphor, just to make sure nobody thinks that that's a good idea. Folks, we have not done the due diligence to buy a \$13 billion company. All right? I sat with my Good Representative from Buxton here, he just said he did a thorough analysis. We had lunch, I asked him some very key questions on what, you know, buying this company would be and he did not have the answers. What did he do a thorough analysis on? This is not good for the State of Maine. And I will say this, the Our Power came in and spoke to our committee and they presented what is going to be on the referendum ballot. And what it says is; do you favor the creation of a Pine Tree Power Company, a nonprofit, private operated utility governed by board of elected by Maine voters to replace Central Maine Power and Versant Power without using tax dollars or state bonds and to focus on delivering reliable, affordable electricity and meeting the State energy independence and internet connection goals? How come you didn't put in there and a new car and free food for the rest of your lives? I mean, what makes you think that it's going to be affordable, right? You're putting in a group of people that never run an electrical grid in their lives and you're saying we're going to run it better, right? Eminent domain. Eminent domain is when there's no other choice, in my opinion. You don't just take it over, all right, because we can run it better. How do you know you can run it better? You never ran it before. What kind of experience are you bringing to the table that says you can run it better? But yet everybody in here thinks we can run it better. Defeat this motion, folks. This is really the future of Maine and if you think this is a great deal, well, guess what; Warren Buffet's got some snow he wants to sell you, too. Thank you.

The SPEAKER: The Chair recognizes the Representative from Skowhegan, Representative Poirier.

Representative **POIRIER**: Thank you, Mr. Speaker. I'm actually rising today because I'm very proud to co-sponsor LD 1708, working collaboratively with legislators from both parties. The fact remains that hundreds of Mainers are still struggling to

pay their electric bills from over a year ago and they haven't received a real explanation for why their power bill skyrocketed from under \$100 per month to upwards of \$400 or more per month. These problems aren't being fixed. Whatever happened to local control? It's become obvious to me that it's a bad idea to rely on foreign-owned companies to control our electric system. These profit-driven utilities are just not designed to serve Maine people and businesses, to help us thrive and look out for our future needs. These utilities have broken many promises. CMP recently claimed that its number one priority is to provide better customer service so it can regain our trust, but it's not getting any better. They aren't fixing these problems. Maine's profit-driven utilities, CMP and Versant, both rank dead-last for customer satisfaction and near the top in high prices. Maine deserves better. Pine Tree Power will answer to its Maine customers, not the stockholders and investors. It'll be made up of our neighbors and managed by Maine people elected by Maine people. It'll invest its earnings back into Maine instead of sending them away to shareholders mainly in other countries. Maine ranks dead-last in the whole country for electricity reliability. When the wind blows in Maine, a CMP customer loses power. Reliability has drastically gone downhill since foreign ownership took place. This is what happens when you put profits above a reliable infrastructure. Electricity is a basic, vital need to power our homes and businesses and the vast majority of Mainers support this bill. The people of Maine deserve to have their voices heard. Mr. Speaker, I urge you to think about the customers and meeting their needs and please support LD 1708. Thank you.

The SPEAKER: The Chair recognizes the Representative from Hiram, Representative Wadsworth.

Representative **WADSWORTH**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's no surprise that I rise to oppose the pending motion. This is a very technical bill that will affect Maine negatively for decades. You know, when our committee has to make even small decisions that are much less technical than this, we rely on the PUC, Mr. Speaker. Yesterday, there was a special in the *Portland Press Herald* outlining the concerns of many of the former PUC chairs. These are the experts, Mr. Speaker, that we rely on. This isn't about following the lobby out in the hall; this is following the people with the technical expertise. And this is what the special read yesterday in the *Portland Press Herald*; former PUC commissioners, don't put politicians in charge of our electric grid. Maine will not be able to keep up its climate response in the midst of a costly takeover battle. As former commissioners of the Maine Public Utilities Commission, we strongly oppose proposed legislation, Legislative Document 1708, that would authorize a new government authority overseen by politicians to seize and run Central Maine Power and Versant Power. Our government takeover would set Maine's work on climate change, trigger many years of costly litigation and ultimately cost ratepayers 10s of billions more. We all know that the PUC can and should hold utilities accountable. That's the PUC's job, Mr. Speaker. If our goal is to improve Maine's electric system and address climate change now, then breaking what we are trying to improve is hardly a solution. First, we are concerned about politicizing our electric grid. LD 1708 would create a Body politicked in corporate governed by elected officials. This structure is, without question, a government entity managed by politicians. From our experience, when utilities are managed by elected officials, political pressures dominate, including favoring political interests over investments needed to ensure reliability and grid modernization.

Second, if Maine is going to meet its aggressive climate and clean energy goals, we need to invest significantly in our electric grid to integrate more renewable electricity. If LD 1708 passes, we are almost guaranteed a decade-plus of legal battles that will halt progress towards these goals. After all, if the government threatened to seize your home and offer less than half of what it's worth, wouldn't you say no? We should expect that. And after years of fighting in state and federal courts, if the seizure is allowed, the elected leaders of this COU may well not authorize the significant additional borrowing necessary. In fact, limited clean energy investment has been the experience of many prominent consumer-owned utilities. For example, the Tennessee Valley Authority is the largest public power entity in the U.S., yet is one of the largest polluters in the country. The Los Angeles Department of Water and Power is governed by the City of Los Angeles and is one of the dirtiest utilities in California. Despite having cheap coal power, it has high rates and faces charges of poor management driven by the political control of the LA council. Long Island Power Authority, on which LD 1708 is modeled, has experienced a cascade of poor politically-driven decisions, poor service, poor reliability and some of the highest rates in the country. And then there is Nebraska, which is comprised of government-controlled power authorities who, unlike Maine, rely predominantly on cheap coal power and rank near the bottom nationally in grid modernization. Third, consider the competence of political management. This Pine Tree Power will be governed by elected politicians and politicians who do not have competence to run a statewide utility. The lights are likely to go out more often. There are many consumer-owned utilities in the U.S. with poor management, including the Long Island Power Authority, Los Angeles, the TVA, the Puerto Rico Electric Power Authority suffering from underinvestment, inefficiency, poor service and higher rates. Locally, the only consumer-owned utility comparable to Central Maine Power or Versant Power is the Eastern Maine Electric Cooperative and that utility has higher rates and lower reliability than Central Maine Power. In fact, the TVA, the Puerto Rico Authority and the Eastern Maine issued so much debt without modernizing or cleaning up their grids, they went through bankruptcy.

Finally, 1708 will shift the risk of mismanagement and spending a hundred percent onto Mainers. PUC oversight remains but, in practical terms, government power eliminates the PUC's most effective regulatory tool to penalize bad management. When an investor-owned utility like Central Maine Power or Versant Power makes a bad decision, the PUC imposes penalties on the shareholders to change behavior. By contrast, with a consumer-owned utility, there are no shareholders to suffer the financial consequences of mismanagement and penalties are paid by you, the Maine electric consumer. Maine has a short window to address climate change, to clean up our energy system and to modernize our grid. We have three good PUC commissioners, two appointed by Chief Executive Mills. We should let them do their job, give them the tools they need and not lose a precious decade trading one regulatory model for yet a worse one. We should focus on needed reforms to solve the real problems the Legislature is attempting to fix. Signed, three former chairs of the Maine Public Utilities Commission. Thank you, Mr. Speaker.

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

Representative **DILLINGHAM**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Hard to follow what the Good Representative from Hiram just delivered. But I do have some questions in looking through or concerns I'd like to highlight. Just looking through the fiscal note literature itself and

I'd like to just read some parts of it. We've been told that this is going to lower our utility rates and save taxpayer dollars, but in reading the fiscal note; it's important to clarify that this fiscal note does not attempt to quantify or include the cost to the PTPC to purchase and operate a decertified utility. The cost of operation will be funded through utility rates charged to customers. Going on, there's also talk about, as the Representative from Knox pointed out, the additional staffing and resources that the PUC is going to require. That's roughly an additional \$2 million a year in ongoing staffing costs. Also, the increased allocations in this bill require a corresponding increase in revenue from the assessment on transmission and distribution in utilities. These costs may be passed on to the electric utility customers through, again, scheduled rate cases. Also, no earlier than January 21, 2024, the PUC shall be certifying an unfit investor-owned electric transmission and distribution utility operating in the State. I believe the Good Representative from Buxton referred to that as being compelled to sell. This action, combined with provisions in the bill designed to force the same utility to sell assets to the PTPC may result in litigation. The PTPC costs as a result of litigation will be passed on to the customers. This bill allows candidates for the PTPC board to participate in the Maine clean elections program. The Commission on Governmental Ethics in Election Practices estimates that it will be up to 11 candidates, additional ongoing cost to the taxpayer. This seems to add up to a lot of costs ongoing that are going to be passed on to the taxpayers and my concern is not really seeing where we're going to have a cost savings to our ratepayers. Also, in the language and this is a question, if I may pose a question through the Chair?

The SPEAKER: The Member may proceed.

Representative **DILLINGHAM**: The language does reference that no member of the board can be a sitting Member of the Legislature. I do have a question I didn't find any language around the director or the manager that could be hired, could that be a sitting Member of this Legislature or even a Member that is voting on to create this power company? Thank you.

The SPEAKER: The Representative from Oxford, Representative Dillingham has posed a question to any member who may care to respond. The Chair recognizes the Representative from Bowdoinham, Representative Berry.

Representative **BERRY**: Thank you, Mr. Speaker. Mr. Speaker and Men and Women of the House, in theory, that may be possible. In practice, that's absolutely impossible. The job would be a very important one, it would be required to have extremely impressive credentials to be entrusted with such a directorship and I would emphasize that the LEI modeling including 82 million per year in profits for the operations company. That's an important piece of it as well. We need to make sure that we do have highly qualified and trained professionals operating the grid, so, that has been contemplated and incorporated in this proposal. Thank you.

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

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

I've been sitting here now for the past hour and a half listening to the robust debate and have heard a lot of impassioned testimony on both sides. My friend from Dexter here made some very cogent points, as did the Representative from Oxford and the Representative from Hiram and many others along the way. During my time in office, I have refrained from using strong rhetoric, I've refrained from using words like

socialism to describe policies, but listening to this debate and reviewing this bill, I have no other conclusion but to use that word, socialism, to describe this. And it troubles me and bothers me that we're at that crossroads as a state. Are the power companies perfect? Absolutely not. I'm no fan of the CMP corridor, if you want to be brutally honest about it, but the utilities that operate in this State are doing their level best and they are responsible to their consumers if through no other entity, then through the PUC. I also believe it would be a huge mistake to elect people like me, people like us, to a board when very few of us know very, very much about managing an electrical grid or running a utility. Some do, some don't, but I don't know how a voter is supposed to discern who does and who doesn't. I mean, what would a Republican/Democrat/Independent debate about energy look like in the public sphere? I don't even know how one would even do that other than a rhetorical thing. So, for those reasons, I am going to oppose the pending motion and thank you, Mr. Speaker.

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

Representative **BERRY**: Thank you, Mr. Speaker. Mr. Speaker, just briefly, because the scare stories have unfortunately raised their ugly head, I need to offer a few cautionary tales from the other side, the other business model. We heard from the Good Representative from Hiram about a few things that haven't gone perfectly in the consumer-owned utility world and I want to acknowledge that no business model guarantees a perfect business. But there are business models that are better, there are business models that are worse and IOUs are far too risky to accept as an answer to our clean energy future. Exhibit A; PG&E corporation admitted criminal responsibility for starting the deadliest wildfire in California's history, becoming one of a few corporations to plead guilty to involuntary manslaughter charges, reported the Wall Street Journal on March 24, 2020. Central Maine Power and Versant have a lower customer satisfaction rating than PG&E. May 26th of this year, 2021, Commonwealth Edison must think Illinoisians suffer from collective amnesia, reported the Chicago Tribune. Back in 2016, the utility snagged sizeable subsidies from the general assembly, greased by contracts and jobs to allies of then-House Speaker Michael Madigan. We know this because ComEd admitted it to federal prosecutors and paid a \$200 million fine as punishment. Now, the utility through its parent company Exelon is knocking on Springfield's door again, hat in hand, hoping lawmakers and citizens forget that chapter as it once more asks for subsidies. Mr. Speaker, ComEdison also ranks higher in customer satisfaction than CMP and Versant. Let's turn now to Georgia, where Plant Vogtle is the biggest boondoggle in utility history. It's a privately-owned, again, investor-owned electric company and in the Atlanta General Constitution, October 22, 2020, we read; on one side is the State's powerful politically connected electric company, on the other, consumers of electricity. One of the PFCs biggest upcoming decisions is who will pay for Georgia Power's billions of dollars in overruns once its nuclear expansion of Plant Vogtle is completed. Among state bodies, the PSC has the most impact on residential and small commercial customers' pocketbook, noted a former PFC member. Billions of dollars in customer overruns; in fact, 10s of billions of dollars in cost overruns which ratepayers, not the utility, will shoulder.

Mr. Speaker, there's more. Again, Georgia Power, however, I should note, ranks better also than CMP and Versant in customer satisfaction. The company Arizona Public Service, also an investor-owned utility, was investigated recently for political spending, giving millions to dark money organizations,

political nonprofits that spend millions from undisclosed donors in order to help elect two state regulators. Their candidates won and in 2017 voted for a utility-backed rate increase. Offering jobs to allies is a common trope, creating the appearance of public support through astroturfing. Case in point, Entergy paid for, excuse me I lost my place, Entergy, a utility from New Orleans, wanted to build a natural gas plant. Critics and community advocates argued it was unnecessary. So, to create the appearance of support, a subcontractor for the utility paid people to appear and speak at a city council meeting, posing as citizens favoring the plant. The independent investigation concluded; Entergy was later fined \$5 million. Entergy also is more popular with its customers than CMP or Versant. Mr. Speaker, I could go on at length, but I'll spare you the additional details and simply say that there is enormous risk in the investor-owned utility business model and far less, according to the track record, in the other. Thank you.

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

Representative **UNDERWOOD**: Thank you very much, Mr. Speaker. I'm Representative Underwood, I'm a Representative of Presque Isle and New Brunswick Power is a government-run power company in New Brunswick. There are one, two, three, four, five, six, seven, eight representatives at or near the provincial line of Canada and they should be, including myself, we can make a good comparison as to what government-run power company is and how it operates versus a private one, which was the current situation. And, myself, in the snowstorm, you're going to have problems, major problems with government-run power versus private power. Service, in particular. Someone runs in, cuts down a pole, government-run power, we all know what government-run anything is because that's who we are and it's generally slower than private stuff, than private-run stuff. So, just be prepared during a snowstorm, if government-run power is in existence, the speed of which the service is going to be rendered. 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. 302

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Cardone, Carlow, Collings, Copeland, Crafts, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Faulkingham, 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, O'Neil, Osher, Paulhus, Pebworth, Perry A, Perry J, Pluecker, Poirier, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Tucker, Tuttle, Warren C, Warren S, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Austin, Bernard, Bickford, Blier, Caiazza, Carmichael, Cloutier, Collamore, Connor, Corey, Costain, Craven, Crockett, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Fay, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Moriarty, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Parry, Perkins, Pickett, Pierce, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Terry, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Andrews, Arata, Bradstreet, Cebra, Grignon, Martin, Prescott, Roche, Sharpe, Theriault, White.

Yes, 76; No, 64; Absent, 11; Excused, 0.

76 having voted in the affirmative and 64 voted in the negative, with 11 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-640) 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 BERRY of Bowdoinham **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended by Committee Amendment "A" (H-640).**

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 "A" (H-640). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 303

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Cardone, Carlow, Collings, Copeland, Crafts, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Faulkingham, 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, O'Neil, Osher, Paulhus, Pebworth, Perry A, Perry J, Pluecker, Poirier, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Tucker, Tuttle, Warren C, Warren S, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Austin, Bernard, Blier, Caiazza, Carmichael, Cloutier, Collamore, Connor, Corey, Costain, Craven, Crockett, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Fay, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Moriarty, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Parry, Perkins, Pickett, Pierce, Quint, Rudnicki, Sampson, Stanley, Stearns, Stetkis, Terry, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Andrews, Arata, Bickford, Bradstreet, Cebra, Grignon, Martin, Prescott, Roche, Sharpe, Skolfield, Theriault, White.

Yes, 76; No, 62; Absent, 13; Excused, 0.

76 having voted in the affirmative and 62 voted in the negative, with 13 being absent, and accordingly the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-640)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act To Protect Student Privacy" (H.P. 235) (L.D. 331)

Signed:

Senators:

CARNEY of Cumberland
KEIM of Oxford

Representatives:

HARNETT of Gardiner
EVANGELOS of Friendship
LIBBY of Auburn
POIRIER of Skowhegan
RECKITT of South Portland

SHEEHAN of Biddeford
THORNE of Carmel

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-647)** on same Bill.

Signed:

Senator:

SANBORN of Cumberland

Representatives:

BABBIDGE of Kennebunk
HAGGAN of Hampden
MORIARTY of Cumberland

Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought Not to Pass** Report.

READ.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-649)** on Bill "An Act To Ensure That Children Receive Behavioral Health Services"

(H.P. 473) (L.D. 642)

Signed:

Senators:

CARNEY of Cumberland
SANBORN of Cumberland

Representatives:

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

Minority Report of the same Committee reporting **Ought Not to Pass** on same 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 to Pass as Amended by Committee Amendment "A" (H-649)** Report.

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-649)** 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-649)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-650)** on Bill "An Act To Expand Courts' Authority To Protect Children When a Parent Has Been Awarded Sole Parental Rights and Responsibilities"

(H.P. 765) (L.D. 1030)

Signed:

Senators:

CARNEY of Cumberland
SANBORN of Cumberland

Representatives:

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

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

Signed:

Senator:

KEIM of Oxford

Representatives:

LIBBY of Auburn
POIRIER of Skowhegan
THORNE of Carmel

Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-650)** Report.

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-650)** 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-650)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act To Protect Tenants from Unnecessary Evictions"

(H.P. 821) (L.D. 1143)

Signed:

Senators:

CARNEY of Cumberland
KEIM of Oxford
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner
HAGGAN of Hampden

McCREIGHT of Harpswell
MORIARTY of Cumberland
POIRIER of Skowhegan
RECKITT of South Portland
SHEEHAN of Biddeford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-648)** on same Bill.

Signed:

Representatives:

BABBIDGE of Kennebunk
CARDONE of Bangor
EVANGELOS of Friendship

READ.

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

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-639)** on Bill "An Act To Reestablish the State Planning Office"

(H.P. 322) (L.D. 446)

Signed:

Senators:

BALDACCI of Penobscot
CLAXTON of Androscoggin

Representatives:

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

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

Signed:

Senator:

ROSEN of Hancock

Representatives:

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

READ.

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

Representative TUELL of East Machias **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 East Machias, Representative Tuell.

Representative **TUELL**: Thank you, Mr. Speaker. When this bill was first presented to us, it was presented to us as an effort to re-create, albeit 2.0, the State planning office and

expand government. What it is ultimately potentially could morph into would be a study of regional planning to make it, to encourage municipalities to come together and consolidate planning and in so doing I feel erode local control. Either way you look at it, the bill before us is not good for the State, certainly not good for rural parts of the State and that is why I'll be voting 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. 304

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

ABSENT - Andrews, Arata, Bradstreet, Cebra, Gifford, Grignon, Martin, Prescott, Roche, Sharpe, Theriault, White.

Yes, 82; No, 57; Absent, 12; Excused, 0.

82 having voted in the affirmative and 57 voted in the negative, with 12 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-639)** 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-639)** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-652)** on Bill "An Act To Promote Transparency and Public Safety When Public Servants Request Towing Services"

(H.P. 899) (L.D. 1228)

Signed:

Senators:

BALDACCI of Penobscot
CLAXTON of Androscoggin

Representatives:

MATLACK of St. George
BRYANT of Windham
COPELAND of Saco

DOORE of Augusta
PAULHUS of Bath
RISEMAN of Harrison

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

Signed:

Senator:

ROSEN of Hancock

Representatives:

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

READ.

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

Representative TUELL of East Machias **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 East Machias, Representative Tuell.

Representative **TUELL**: Thank you, Mr. Speaker. When the committee heard this bill, at first glance, it looked to be a pretty straightforward bill. I mean, who wouldn't want to have more transparency in the towing services when involving a police officer or officers around the State? Towing companies had legitimate grievances all around the State and the committee honestly wanted to try to do something, as the hearing went on, we heard from public safety who had some grave concerns about the bill and the impact on local law enforcement agencies and as the hearing went on even further, we heard the same from the Sheriff's Association and the concern still, even at this point in time, is that this will create a cost for our county governments which don't have uniform software to be able to track data to be able to monitor and properly record these various towing operations and situations. I will advise the Body that this is a mandate and one which we should be very reluctant to pass on to our counties and to our sheriff's offices around the State. So, reluctantly, I'll be voting against the pending motion. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from St. George, Representative Matlack.

Representative **MATLACK**: Thank you, Mr. Speaker. Mr. Speaker, the simple result of talking about this in the committee was to decide to put in the bottom memo line on the reports that the police officers complete, whether Sheriffs or State Police, is to put in the memo line the name of the towing company that took away the vehicle during a nonconsensual tow. That is the very limited answer to a very complicated question. 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. 305

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazza, 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 - Austin, Bernard, Bickford, Blier, Carlow, Carmichael, Collamore, Connor, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Faulkingham, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Johansen, Kinney, Kryzak, Lemelin, Libby, Lyford, Lyman, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Thorne, Tuell, Underwood, Wadsworth.

ABSENT - Andrews, Arata, Bradstreet, Cebra, Grignon, Javner, Martin, Prescott, Roche, Sharpe, Theriault, White.

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

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-652)** 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-652)** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act To Invest in Maine's Roads and Bridges"

(H.P. 1016) (L.D. 1382)

Signed:

Senator:

LIBBY of Androscoggin

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-641)** on same Bill.

Signed:

Senator:

CHIPMAN of Cumberland

Representative:

COLLINGS of Portland

READ.

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

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-642)** on Bill "An Act To Prevent and Reduce Tobacco Use by Ensuring Adequate Funding for Tobacco Use Prevention and Cessation Programs and by Raising the Tax on Tobacco Products and To Provide Funding To Reduce Disparities in Health Outcomes Based on Certain Factors" (H.P. 1039) (L.D. 1423)

Signed:

Senators:

CHIPMAN of Cumberland
LIBBY of Androscoggin

Representatives:

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

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

Signed:

Representatives:

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

READ.

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

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

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

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

Representative **BICKFORD**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, exactly 18 months ago, we increased the tax on all other tobacco products by 115%. This bill wants to double that. Think about that. This bill wants to double the excise tax on regular cigarettes from \$2 a pack to \$4 a pack. These convenience store operators, Mr. Speaker, go through 130 to 150 or more cartons of cigarettes a week. So, let's take 150 cartons of cigarettes times \$20 a carton. What's the cost to that convenience store operator that they have to put out ahead of time, they don't collect it and remit it, they have to pay that before they sell their product. That's \$3,000 a week, Mr. Speaker, not including the bags of tobacco, the chew, the snuff, the vape product. What this is going to do is this is going to drive the poorest of the poor from buying the cheapest cigarettes they can for \$5 a pack, it's going to drive them and I know, I work in that business, I see these people every day when I work it's going to drive them to the bags of tobacco, it's going to drive them to the roll your own. What's going to happen? Before they feed their children, they have to buy that tobacco. Quitting tobacco is harder than quitting heroin.

It's been proven, it's science; follow it. Mr. Speaker, this is absolutely ridiculous. Part of this bill actually says that it wants to allow the center to research, identify and reduce health disparities in health care outcomes based on race, what's that got to do with cigarettes? Ethnicity, what's that got to do with tobacco? Sexual orientation, what do any of those have to do with tobacco? I'm going to answer my own question. Nothing. Not a darn thing. Ten million dollars. Do you know what else we use the Fund for Healthy Maine for, Mr. Speaker? We use it to pay for daycare. What does that have to do, again, with tobacco? Not a darn thing. Does the Fund for Healthy Maine expend all their money annually? Absolutely not. Mr. Speaker, this is a bad bill and I urge the Body to vote it down. Thank you.

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative McCreight.

Representative **MC CREIGHT**: Thank you, Mr. Speaker. Evidence shows that significant increases in the price of tobacco results in significant reductions in use, especially when combined with funding for tobacco cessation. This bill provides funding for prevention and cessation programs to help stop the addiction before it starts and to deal with it if it does. And, as you've just heard, this is a terrible addiction, incredibly difficult to stop. Providing help for people who are trying to stop just makes sense. And we want to prevent our young people from starting in the first place. We know that the effect of addictive substances on young brains is devastating. It opens them up to other addictions. As older smokers die, the companies producing and selling these harmful products are aggressive in finding new markets. They promote their products to kids and to vulnerable populations. And, typically, these are the same populations who have less access to health care and poorer health outcomes. These are the people that were just discussed who have the highest health disparities. It makes sense to try to do something to help. The preventable diseases with direct links to tobacco product use include cancer, diabetes, heart disease, respiratory diseases; all of which reduce quality of life and all of which are too often deadly. You'll hear arguments that this will be hard on those with lower incomes, as you just did. Yet, this is the same population that experiences a disproportionate share of tobacco-related illness and death and it's the same population on which the tobacco industry spends a disproportionate share of their marketing dollars. They target their advertising to vulnerable populations; LGBTQ, people of color and youth. The cigarette tax increase proposed in this bill is estimated to generate 48 million in state revenue annually and to save 300 million in long-term health care cost savings. This bill addresses these issues in several ways. Raising the price disincentivizes people from starting. Funding is provided for prevention and cessation. And it also provides funding specifically, as you just heard, for the use of Maine CDC to reduce and identify health care outcome disparities based on ethnicity, sexual orientation, gender identify, income, attainment, or zip code; exactly the populations that are targeted by these industries, promoting products that kill. I ask you to support this bill to help prevent people from starting, to help people stop using and to work to address the inequities in health care outcomes. I think most of us in this room have experienced loss of health, loss of life of family members and I ask you to support this bill so that we can address this scourge on our society. Thank you.

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

Representative **BICKFORD**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I want to respond to my good friend, who we served together in the Taxation Committee

a couple years back. We hear all the time that they advertise tobacco products to ethnic groups, to racial groups, to different areas of the population. Last I knew, I'm going to say probably as far back as the 70s, they weren't allowed to advertise cigarettes on TV anymore, they're not allowed to advertise in magazines. So, my question, Mr. Speaker, is I'm confused. Where are we advertising to these groups? Is it inside the store? Nobody went out and forced them to go into that store and buy those cigarettes or to go in and look at the different brands of cigarettes that they have. And they're certainly not advertising to young people because we did a good job a couple years ago by increasing the age to 21. I supported that, I voted for that, I thought that was important legislation. Young people are not getting cigarettes at stores, they're not getting them at liquor stores or convenience stores or any other type store, just like they're not getting alcohol, just like they're not getting pot; they get them from family. We can't stop that; nobody's advertising to them and if they are, if somebody thinks they are, there's a problem, 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 hate cancer sticks. My husband smokes, I make him smoke outside, I make him smoke outside in the rain and if it's not raining, I spray him down with the hose. That being said, if we really cared about this issue, we would make smoking one hundred percent illegal, but we don't. In the meantime, my buddies that own the convenience stores in New Hampshire are salivating that we pass this bill. 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, one of the problems of being free men and women in a free nation is you have the freedom to make bad decisions and that's what this is. This is freedom, the freedom to choose whether to smoke or not. You can't legislate morality. By the way, if we're going to do something about health issues, are we going to start taxing the oil you use to make fried foods? Because diabetes and heart disease are massive killers. So, is that next? Is that how we're going to do that? And I find it startling that we would talk in a condescending way about someone's race or skin color that they're perhaps needing special protection because they're not smart enough to make a choice about smoking. I find that to be a very troubling statement on this floor. Thank you, Mr. Speaker.

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

ROLL CALL NO. 306

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Dodge, Doore, Doudera, Evans, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hymanson, Kessler, Lookner, Lyford, Madigan, Mathieson, Matlack, McCrea, McCreight, Melaragno, Meyer, Millett, Morales, O'Connell, O'Neil, Osher, Paulhus, Pebworth, Perry, Pierce, Reckitt, Rielly, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Tuttle, Warren, Williams, Wood, Zager, Mr. Speaker.

NAY - Austin, Bernard, Bickford, Blier, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Cuddy, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Dunphy, Evangelos, Faulkingham, Fay, Fecteau, Foster, Gifford,

Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hepler, Hutchins, Javner, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyman, Martin J, Martin R, Mason, McDonald, Millett, Moriarty, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Perry, Pickett, Pluecker, Poirier, Quint, Riseman, Roberts, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Thorne, Tuell, Underwood, Wadsworth, Warren, White, Zeigler.

ABSENT - Andrews, Arata, Bradstreet, Cebra, Grignon, Martin, Prescott, Roche, Sharpe, Theriault, White.

Yes, 67; No, 73; Absent, 11; Excused, 0.

67 having voted in the affirmative and 73 voted in the negative, with 11 being absent, and accordingly the Majority Ought to Pass as Amended Report was **NOT ACCEPTED**.

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

Representative KRYZAK of Acton **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **Ought Not to Pass** Report.

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

Subsequently, Representative KRYZAK of Acton **WITHDREW** his **REQUEST** for a roll call.

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

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-643)** on Bill "An Act To Provide for Fairness in Property Taxation by Assessing a One-time Tax on Financial Assets"

(H.P. 1122) (L.D. 1514)

Signed:

Senators:

CHIPMAN of Cumberland
LIBBY of Androscoggin

Representatives:

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

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

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

READ.

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

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

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

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

Representative **BICKFORD**: Thank you, Mr. Speaker. Fortunately, this bill has been amended to be a resolve setting up a study, but I'm not sure how many different ways we can study how to go after people with wealth. The State of Maine should be encouraging wealth. We should be encouraging people from other states to move to Maine. We compete with other states. We're not sitting on an island all alone, not worried about competition. We compete and we compete vigorously, or we should be competing vigorously. This amendment replaces the bill and wants to study the impact of various types of taxes on various populations of the State. I'm going to paraphrase that. How I read this is that this establishes the commission to study how we can get more money out of wealthier people. Mr. Speaker, this is not another good bill. Please, follow my light and vote this down. We need people to move to this State, not run from it.

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

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

So, we often hear about the need to keep property taxes low in this chamber. If we are to do so, it is time to start thinking differently about what property taxes are and what type of property is eligible to be subjected to that tax. When the current system of property taxation was established hundreds of years ago, land ownership was the primary means and measure of an individual's personal wealth, which is why municipalities assess property taxes on the valuation of land every year. Things have changed a little bit in the last hundred years and these days most individuals with great personal fortunes do not hold most of their wealth in tangible assets such as land, vehicles and brick and mortar buildings. For this rarified class of individuals, most of their property is now held in intangible assets or property that they own such as currency, stocks and other financial instruments. In order to provide fairness in property taxation, the State ought to study whether it is feasible to tax these other types of property that now comprise the primary means and measure of individual wealth among those with the greatest means in our society. An individual's property is more than the land they own, it is the totality of their assets and that is the definition of property. So, please support this motion in order to start the process to bring fairness to our antiquated system of property taxation. Thank you.

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

Representative **FOSTER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand opposed to this motion. I think if nothing else the pandemic showed us how easy it is for folks to move from state to state, as we saw a great influx of people wanting to come to the State of Maine to get away from areas where they lived where they were more restricted, faced more risk of COVID, so on and so on. And we watched properties, especially in rural parts of the State, around lakes and ponds, oceanfront property snatched up, often without even being looked at and people moved up very quickly to change their residence. It can go the other way just as fast for these same folks in the categories that would see this tax. I don't think that's what we want in the State of Maine. I stand, again, opposed to this motion. Thank you.

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

Representative **KINNEY**: Thank you, Mr. Speaker. I had to come back, I got up to stretch my legs for a moment, but I had to come back because I heard a comment that said that most people don't have tangible property anymore, their assets are currency and things like that. I represent a very rural district. Cows outnumber people in my hometown. Farmers are all assets and they are struggling and we keep trying to pass legislation here that will hurt farmers. We're going to lose our farms in the State of Maine. We want to have food sovereignty, we want to have a right to food and if we lose our farmers, we won't have any of that. Thank you.

The SPEAKER: The Chair recognizes the Representative from Hampden, Representative Haggan.

Representative **HAGGAN**: Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I have many friends who own businesses and their assets are vast. They have sought me out over the past few years and said if this keeps up, Haggan, I'm out of here, I'm packing up, I'm taking my factory, I'm taking my workers and I'm gone. This has to stop. My mother is Canadian. I don't go to Canada anymore, but I used to and I love the Greco Donairs, delicious pizza. Anyway, in the city centers, there are stores. When I go to Fredericton, St. John, Halifax, my mom's from Nova Scotia; there are plenty of stores, it seems like booming wealth, I feel like I'm in Portland or what have you. When I go to the towns, I see one store, maybe an Esso, maybe a Timmy Hortons, if that. I have gone from Calais or Houlton into Canada thinking well, I need a cup of coffee but I think I'll get it later and two or three hours later, I still can't find a place where they sell coffee. If we keep taxing the people that have the resources and the employers, we're going to turn into that. And that, my friend, would be a great shame. Thank you very much.

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

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

The SPEAKER: The Member may proceed.

Representative **FECTEAU**: Thank you. So, if an extra tax on cigarettes stops people from smoking, does an extra tax on assets stop people from moving to Maine? Thank you.

The SPEAKER: The Representative from Augusta, Representative Fecteau has posed a question to any member who may care to respond. The Chair recognizes the Representative from Penobscot, Representative Hutchins.

Representative **HUTCHINS**: Thank you. I can answer that one directly. We do compete with other states and the closest state, New Hampshire, has no sales tax and no income tax.

I was down there a week and a half ago to my granddaughter's wedding. She and her new husband are living in New Hampshire now and I happened to mention to her when are you going to move back to Maine and she said never; I get quite a raise just by living in New Hampshire. She works remotely, her husband works remotely, they fly all over the country in their different positions, come back to New Hampshire and work remotely. They could do it easily right here, but she likes the raise she got in New Hampshire.

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

Representative **STETKIS**: Thank you, Mr. Speaker. You know, over the years, it seems like the folks that maybe this bill are targeting are viewed to be these folks that are living in these mansions and the fancy cars and taking the fancy vacations and those sorts of things and though some of that is true, of course, absolutely none of them live here six months and a day, they all

choose to live somewhere else most of the time and claim their residence somewhere else where they're not going to be taxed to death. But there's another group of people that this bill will directly affect that I think, in a lot of cases, people just because they're either not part of the trades or the industry or whatever, they just don't see it. This day and age, if you're a hardworking Mainer, you're putting in 60, 70, 80 hours a week and you've got four dump trucks and an excavator, this bill is going to affect you. If you own a drill rig or a couple of drill rigs, this bill is going to affect you. If you're one of those developers that is supposedly going to be building any energy-efficient affordable housing, this bill is going to affect them as well. As you continue to tax these things, they become more expensive. As you drive more and more people out of the State, there's less and less competition and it becomes more expensive.

Representative **TEPLER**: Point of Order.

The **SPEAKER**: The Chair recognizes the Representative from Topsham, Representative Tepler and inquires as to her Point of Order.

Representative **TEPLER**: Thank you, Mr. Speaker. My understanding is that the bill that we are considering is a study and I am very confused by what the Member is addressing that has to do with a study. Thank you.

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

The **SPEAKER**: The Chair would advise the Member that the question before the Body is a question about whether or a study related to a potential tax. The Member may proceed.

The Chair reminded Representative **STETKIS** of Canaan to stay as close as possible to the pending question.

Representative **STETKIS**: Thank you, Mr. Speaker. Very fair judgment call. So, you know, realistically, we have to look at these things as if it's not some pie-in-the-sky, you know, fancy person that maybe lives on the mid-coast or something with a yacht and a mansion and all these sorts of things. It's not the case for most of us that have to work for a living. As you work and you have to accumulate some of these tools and this equipment that you're purchasing with your hard-earned labor and you're risking and borrowing and all these sorts of things, people are going to take their ambition and they have, I know several people in my area that have and it's heartbreaking. My kids and their kids went to school, you know, we were expecting to grow old together and they're gone. They've had enough. They go to New Hampshire, they go to Tennessee, they go to Florida, they're going to Arizona, they're going to Texas. We're running ambitious people out of our State. We need to stop shooting ourselves in the foot.

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

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

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

Representative **BLIER**: Mr. Speaker, we've had so many studies here in the Legislature this year. I wonder if we should create a study to see if we're going to be the smartest Legislature ever because we've been doing a lot of studying.

The **SPEAKER**: The Representative from Buxton, Representative Blier has posed a question to any member who may care to respond. The Chair recognizes the Representative from Knox, Representative Kinney.

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

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

Representative **KINNEY**: Thank you, Mr. Speaker. I'm looking for a fiscal note on this. Whenever we do a study like this, there's usually a fiscal note and it does appear to have a lot of legislative members, so, I'm wondering what the fiscal note is on this because it's not online.

The **SPEAKER**: The Representative from Knox, Representative Kinney has posed a question to any member who may care to respond. The Chair recognizes the Representative from Gorham, Representative Terry.

Representative **TERRY**: Thank you, Mr. Speaker. The study, as with most studies that the Legislature approves, will be in the neighborhood of \$11,000. And I just want to remind Members that this is a study. It explores intangible assets, so, that's not yachts, that's not homes, that's not property, that is investments that have been made for a long period of time usually and it's a study, it's to determine whether or not something is taxable. It is a national discussion that's happening right now and we hope that the State of Maine would like to be part of that discussion.

The **SPEAKER**: The Chair recognizes the Representative from Madison, Representative Ducharme.

Representative **DUCHARME**: Thank you, Mr. Speaker. Since this is a study, I'm going to try to save the State \$11,000, as the Good Representative said the cost would be. Property taxes hurts peoples' ability to own property, taxes on assets will drive assets out of Maine, taxes on income drives income out of Maine, taxes on cigarettes drive these purchases to New Hampshire, taxes on alcohol drive those purchases to New Hampshire and taxes on investment will drive those assets and those investments out of state. Study done, \$11,000 saved.

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

Representative **BICKFORD**: Thank you, Mr. Speaker. In response to that question a minute ago, the fiscal note is \$3,250 in 21/22 and the 22/23 biennium is paying the \$10,000 for 21/22 and an additional \$10,000 for the 22/23. So, we're paying in the second year for the first year, \$10,000, we're paying both years at once for \$21,000 and 3,250 for the first year.

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. 307

YEA - Alley, Arford, Babbidge, Baile, 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, Hasenus, Kessler, Lookner, Madigan, Martin, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, O'Neil, 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 - Austin, Bernard, Bickford, Blier, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Evangelos, Faulkingham, Fay, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hepler, Hutchins, Hymanson, Javner, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Perkins, Perry, Pickett, Poirier, Quint, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Thorne, Tuell, Underwood, Wadsworth.

ABSENT - Andrews, Arata, Bradstreet, Cebra, Grignon, Martin, O'Connell, Osher, Parry, Perry, Prescott, Roche, Sharpe, Theriault, White.

Yes, 73; No, 63; Absent, 15; Excused, 0.

73 having voted in the affirmative and 63 voted in the negative, with 15 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-643)** 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-643)** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-645)** on Bill "An Act To Amend the Maine Exclusion Amount in the Estate Tax"

(H.P. 1128) (L.D. 1524)

Signed:

Senators:

CHIPMAN of Cumberland
LIBBY of Androscoggin

Representatives:

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

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

BICKFORD of Auburn
CARMICHAEL of Greenbush
KRYZAK of Acton

READ.

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

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

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

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

Representative **BICKFORD**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, this bill returns the exclusion amount on a state tax back down to two million from five million; 5.6 million. And what it does is it creates an exclusion amount on a state tax for family farms and aquaculture, fishing and wood harvesting businesses, up to \$3.8 million only if a family member remains in a commercial use for five years following the transfer. Now, there's no guarantee what this is going to bring to Maine because nobody can read tea leaves and know how many people are actually going to die

each year. Nobody knows. There's no fiscal note for how many people are going to die in the next two years. But there is a fiscal note for what it's going to cost us. It's going to cost us a million dollars just to change that tax. We have a very expensive Maine Revenue Service, Mr. Speaker, extremely expensive and it's going to cost us a million dollars and several positions to implement this. Mr. Speaker, it's just another attack on people with wealth. I can't stress enough; I want people with wealth to move to Maine because you know why; we don't have to subsidize them, we don't have to give them SNAP benefits, we don't have to give them Maine Care, we don't have to give them anything. They come up, they buy a property, they go spend money, they pay taxes, they pay income tax, they pay sales tax, excise tax; they pay more tax than a lot of us. Mr. Speaker, I hope you follow my light and I'm sure you will. 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. 308

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

NAY - Austin, Bernard, Bickford, Blier, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Crockett, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Dunphy, Evangelos, Evans, Faulkingham, Fay, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hepler, Hutchins, Hymanson, Javner, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyford, Lyman, Martin J, Martin R, Mason, Millett, Moriarty, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Perkins, Pickett, Pierce, Pluecker, Poirier, Quint, Riseman, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White, Zeigler.

ABSENT - Andrews, Arata, Bradstreet, Cebra, Grignon, Martin, Parry, Prescott, Roche, Sharpe, Theriault, White.

Yes, 66; No, 73; Absent, 12; Excused, 0.

66 having voted in the affirmative and 73 voted in the negative, with 12 being absent, and accordingly the Majority Ought to Pass as Amended Report was **NOT ACCEPTED**.

Subsequently, on motion of Representative TERRY of Gorham, the Minority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-644)** on Bill "An Act Regarding an Excise Tax on Water Extracted for Commercial Bottling"

(H.P. 1166) (L.D. 1569)

Signed:

Senators:

CHIPMAN of Cumberland
LIBBY of Androscoggin

Representatives:

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

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

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

READ.

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

Representative KRYZAK of Acton **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 Acton, Representative Kryzak.

Representative **KRYZAK**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to this proposed motion. When I first came in in the 129th and I filled out the form to decide what committees I wanted and you had three choices; I chose Agriculture, Agriculture, Agriculture and I got Taxation. And Agriculture. All I knew about taxation was I took my receipts from my business out of my pocket and out of the cup holder in my car, put them in a bag and gave them to my accountant. Now I'm doing tax law. And one of the biggest turnouts we had for a public hearing was on this same bill in the 129th. And I made a huge mistake that I want to share with all of you because I wouldn't want it to happen to you. When you have 30 people that work for Poland Springs coming to testify, don't have a bottle of water from another company on your table. This bill; I've learned a lot from it, especially this year. The administration had sent in two folks in opposition to this bill. One was the Maine State Geologist. And there was a lot of testimony about our water, we have to protect our water, these people are taking our water for free. Well, the geologist told us that in Maine, one of our natural resources is almost the best in the country. We get over a trillion gallons of water a year that is replenished and we only use a couple of hundred billion for everybody in Maine, including Poland Springs, ski areas, blueberry farms, every farm and the rest of it is washed out to sea every year. I'm sorry.

So, we have this natural resource and if Poland Springs wasn't using it, it would just go out to sea. Taxing them, right now, they are a major company in the State and listening to these employees; high-paying jobs that they're all very proud of. Now, another thing we learned was Poland Springs has a new owner and they testified that if the tax goes up, because they qualify as spring water, they have to have federal approval. All the other water you can buy in the grocery store, you can buy for \$2.50, the same size packages of Poland Spring at \$3.50 and then you're going to add a tax on top of that. So, it's going

to hurt them but, in reality, it's going to hurt us because Poland Springs is going to charge that tax and then they're going to have less sales. So, taxing water, it's just wrong. And the other thing is they are one of the most generous companies in the State as far as charities. I was director of cadet programs for Maine Wing Civil Air Patrol for seven years and every year they donated water to us to raise money for the cadets. And some of the other things that they talked about that they do with their charities, if they are being taxed, they're not going to be able to do that. So, I ask that you follow my light and vote down this bill. Thank you.

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, we're going to need to employ thousands of Maine people to take care of all the studies that we've asked for this year so far. It's totally out of control. This excise tax on water extracted for a commercial bottling company; not for all companies that use water, one company. Gee, I wonder who that could be? I wouldn't even want to guess, Mr. Speaker, it could be anybody. Maybe Budweiser has a water plant in Maine. I got a pretty good idea of the company they're going after. Mr. Speaker, blueberry growers, do you know they use 10s of millions of gallons of water a month? Are we going to put an excise tax on that water? Why not? It's taking water out of the watershed. Oh, my goodness. But, see, Poland Spring, my good friend from Acton, the Representative from Acton was right. They have geologists on board and state geologists also. They know they take less from the water table than actually gets added to it every year. Strawberry growers, potato growers, all of these companies, your local beer manufacturers, craft beer, they all use thousands if not millions of gallons of water. Our local dairies in Portland, Maine. I worked for one for a couple years. You want to talk about a lot of water being dumped down a drain? A lot. I mean, you're talking about a three-inch pipe with water just flowing away. And that's city water. Let's put excise tax on that, that's city water. That should be going to the residents, Mr. Speaker. That shouldn't be going to a company. Oh, my goodness. Please, we've done enough studies. And when a member of the committee says well, it keeps coming back every year so, maybe we should do a study because maybe that means it's really important. Well, Mr. Speaker, if we did a study on every bill that comes back year after year after year after year, we would be doing even more studies than we're doing now. Please, I know I didn't get you last time, but really. Look at my light this time, Mr. Speaker. Thank you.

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

Representative **TERRY**: Thank you, Mr. Speaker and I thank the Good Representatives from Acton and Auburn. I would be sad if neither of them were in my committee, they're very, very thoughtful and always ask a lot of questions. Mr. Speaker, to repeat what they both said; each year we do see this issue come up in the Legislature and before my time and in the last five years, we've seen it quite a bit. Water is an incredibly valuable resource. It's something that not just bottled water companies use, it is something that other businesses use throughout the State. When we are determining whether or not we do this study, we will be able to determine whether or not this is something that is valuable enough for us to tax, for companies, for folks from out of state that may want to use our water. No matter what the position is, we're going to just keep coming back and back and back to this discussion, so, why not have a study? Why not bring in members from all interested parties, including bottled water extractors, including people from

the agriculture business, including people from different places around the State that actually have these aquifers in their neighborhoods. The study will explore whether or not we should or should not continue this conversation. And that, I'd like to really have everybody think about. This study could be something that answers this question once and for all. So, I urge you all to follow my light and get some questions answered that we can get answered in longer than it takes to do a committee work session. Thank you, Mr. Speaker.

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

Representative **SYLVESTER**: Thank you, Mr. Speaker. I wish to rise tonight in order to answer the question from the Good Representative from Auburn so he wouldn't have to rise for a 38th time this evening. I, too, was once worried about all of the water going onto blueberries but, as it turns out, that water ends up back onto the ground, most of which is soaked in. But to answer his question, there is a tax levied on blueberries, it's one and a half cents per pound on all wild blueberries and on all processed blueberries. So, now we won't have to have a study about that. Thank you, Mr. Speaker.

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

Representative **KINNEY**: Thank you, Mr. Speaker, Men and Women of the House. I, like the Representative from Acton, for three of my terms, my first committee of choice was Agriculture. It's still a passion, probably people have that figured out by the way that I speak about farms and cows and things on the floor. The Agriculture, Conservation and Forestry Committee, in their budget, has a tax that is paid by Poland Spring that we can't touch. It's a fund that has been established. They pay a significant amount of money to the State of Maine annually to extract the water that they are using for their sales that go nationwide. I know because you heard me say I've been a truck driver and I've hauled Poland Spring water across the country. Poland Spring does wonderful philanthropic things with providing water to areas that get hit by hurricanes, by floods, by power outages to make sure that people have water that they can drink. We have a wonderful resource here, it's not begun to be destroyed by this company and we need to stop pushing an additional tax on top of what they're already paying. They pay significant amount of money that benefits our state's conservation efforts. Thank you.

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

Representative **HUTCHINS**: Thank you, Mr. Speaker. The water that we put in plastic bottles ends up on the ground, too. It changes to a different color. But making another study, we are generating with one study after another, we're generating information back to here which somehow or other when we vote on it, legitimizes it because it's been through a study. And I question many of those studies and I would question this one also.

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, at my property where I live, I live on a very small, less than an acre property, but the water that goes underneath my property, I have a well on, that aquifer, that water below me is my water. I don't pay anybody for the use of that water. Poland Spring, most of their sites, they own the land that they get the water from. That is their water. That's not my water, it's not your water. There is one location that they do pay to extract water and they do that

because they made a deal with that municipality that the municipality would pay for the infrastructure so Poland Spring didn't have to pay for the infrastructure. Instead of paying for the infrastructure, they're paying a fee to bottle the water. That's the only reason Poland Spring pays a municipality for the privilege of extracting water currently, except for any state-funded mandate that they have, that's the only location I'm aware of that they actually have to pay a municipality to extract water because the municipality, again, they paid for the infrastructure. And I want to make that clear, I want people to understand. The water below your feet is yours. You have every right to it, nobody else does, as a landowner. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Copeland.

Representative **COPELAND**: Thank you, Mr. Speaker. I rise to talk about the water trucks. So, when they extract the water, after they're done with that, they transport it over our roads. And I know that they and we've had meetings in our community about this, they rattle houses when they go by, there's wear and tear big time on our roads. So, it's not all just about money and stuff. I mean, people are not happy with it and it certainly, a study on the benefits or the detriment to our environment and to our communities is worthy of a study, in my opinion. Thank you.

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

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

The SPEAKER: The Member may proceed.

Representative **DILLINGHAM**: So, I'm looking at the committee amendment here and the Good Representative from Auburn actually is what prompted me to look at this amendment and as reference to his well and it got me wondering well, is this study going to study the ownership of drilled and dug wells in the State of Maine? And if somebody could answer on B under duties of the section five under the amendment it says there's actually A and B; the extent of water resources available in the State and then legal principles regarding the ownership of water resources in the State. I'm no lawyer, I know we have some in here and I don't really know the intent behind B, but when I read that, it says to me that the intent is that we'll be actually studying legal ownership of somebody's water underneath their property and if somebody could answer if that's correct or not, I'd appreciate it.

The SPEAKER: The Representative from Oxford, Representative Dillingham has posed a question to any member who may care to respond. The Chair recognizes the Representative from Acton, Representative Kryzak.

Representative **KRYZAK**: Thank you, Mr. Speaker. That law has already been established according to the Maine State Geologist. The landowner owns the water under their property, under Maine state law.

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. 309

YEA - Alley, Arford, Babbidge, Bailey, Bell, Berry, Blume, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cuddy, Dodge, Doore, Doudera, Dunphy, Evangelos, Evans, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hymanson, Kessler, Lookner, Madigan, Martin, Mathieson, Matlack, McCrea, 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, Warren, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Andrews, Arata, Bradstreet, Cebra, Grignon, Martin, Parry, Perry, Prescott, Roche, Sharpe, Theriault, Warren, White.

Yes, 76; No, 61; Absent, 14; Excused, 0.

76 having voted in the affirmative and 61 voted in the negative, with 14 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE. Committee Amendment "A" (H-644)** 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-644)** and sent for concurrence.

Seven Members of the Committee on **JUDICIARY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-653)** on Bill "An Act To Facilitate Children's Testimony in Certain Sex Crime Cases"

(H.P. 1201) (L.D. 1612)

Signed:

Senators:

CARNEY of Cumberland
SANBORN of Cumberland

Representatives:

CARDONE of Bangor
McCREIGHT of Harpswell
MORIARTY of Cumberland
RECKITT of South Portland
SHEEHAN of Biddeford

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

Signed:

Senator:

KEIM of Oxford

Representatives:

EVANGELOS of Friendship

HAGGAN of Hampden
POIRIER of Skowhegan

Two Members of the same Committee report in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-654)** on same Bill.

Signed:

Representatives:

HARNETT of Gardiner
BABBIDGE of Kennebunk

Representative NEWELL of the Passamaquoddy Tribe - of the House - supports Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-653)**.

READ.

On motion of Representative HARNETT of Gardiner, Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE. Committee Amendment "A" (H-653)** 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-653)** and sent for concurrence.

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

CONSENT CALENDAR

First Day

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

(S.P. 506) (L.D. 1563) Bill "An Act Regarding Travel Insurance in the Maine Insurance Code" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-271)**

(S.P. 554) (L.D. 1699) Bill "An Act To Establish the Southern Aroostook County Emergency Medical Services Authority" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-269)**

(S.P. 549) (L.D. 1715) Bill "An Act To Amend the Laws Prohibiting Teachers, Employees and Other Officials from Engaging in Sexual Activity with Students" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-270)**

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.

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

ENACTORS

Emergency Mandate

Resolve, To Protect Consumers of Public Drinking Water by Establishing Maximum Contaminant Levels for Certain Substances and Contaminants

(S.P. 64) (L.D. 129)
(C. "A" S-264)

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. 111 voted in favor of the same and 12 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Allow Maine Nonprofit Corporations To Hold Meetings Electronically

(S.P. 271) (L.D. 683)
(C. "A" S-258)

An Act To Restrict the Collection of Surveillance Video, Information and Data Regarding Lawful Firearm Purchases

(S.P. 299) (L.D. 884)
(C. "A" S-120)

An Act To Protect Data Privacy and Security in Elections

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

(S. "A" S-266 to C. "A" H-513)

An Act To Establish Appliance Energy and Water Standards

(H.P. 696) (L.D. 940)

(S. "A" S-267 to C. "A" H-298)

An Act To Prevent Discrimination against Domestic Violence Victims

(S.P. 422) (L.D. 1294)
(C. "A" S-261)

An Act To Reduce Homelessness by Reducing Evictions

(S.P. 485) (L.D. 1508)

(S. "A" S-265 to C. "A" S-257)

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**.

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act To Establish the Maine Forest Advisory Board" (H.P. 1154) (L.D. 1549)

House **INSISTED** on its former action whereby the Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** was **READ** and **ACCEPTED** in the House on June 14, 2021.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-519) AS AMENDED BY SENATE AMENDMENT "A" (S-268)** thereto in **NON-CONCURRENCE**.

Speaker FECTEAU of Biddeford moved that the House **RECEDE AND CONCUR**.

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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 to Recede and Concur. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 310

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

NAY - Austin, Bernard, Bickford, Blier, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Dunphy, Faulkingham, Fay, Fecteau, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hutchins, Javner, Johansen, Kinney, Kryzak, Landry, Lemelin, Libby, Lyman, Mason, McDonald, Millett, Morris, Nadeau, O'Connor, Ordway, Perkins, Perry, Pickett, Pierce, Quint, Roberts, Rudnicki, Skolfield, Stanley, Stearns, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Andrews, Arata, Bradstreet, Cebra, Grignon, Lyford, Martin, Parry, Perry, Prescott, Roche, Sampson, Sharpe, Theriault, White.

Yes, 76; No, 60; Absent, 15; Excused, 0.

76 having voted in the affirmative and 60 voted in the negative, with 15 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

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

ORDERS

On motion of Representative TALBOT ROSS of Portland, the following Joint Order: (H.P. 1288)

ORDERED, the Senate concurring, that Bill, "An Act Relating to Fair Chance in Employment," H.P. 845, L.D. 1167, and all its accompanying papers, be recalled from the Governor's desk to the House.

READ and PASSED.

Sent for concurrence.

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

ENACTORS

Emergency Measure

Resolve, To Provide Additional Funding to Nursing Facilities and Private Nonmedical Institutions for Costs Related to COVID-19

(S.P. 301) (L.D. 949)

(H. "A" H-572 to C. "A" S-205)

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. 118 voted in favor of the same and 3 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

(H.P. 701) (L.D. 945)

(C. "A" H-578)

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.

Mandate

An Act To Implement the Recommendations of the Right To Know Advisory Committee

(H.P. 996) (L.D. 1345)

(C. "A" H-593)

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

Resolves

Resolve, Directing the Department of Education To Establish the Process for Transitioning the Provision of Early Childhood Special Education Services for Children with Disabilities from 4 Years of Age to under 6 Years of Age from the Regional Child Development Services System to School Administrative Units

(H.P. 270) (L.D. 386)

(H. "A" H-598 to C. "A" H-506)

Resolve, To Establish the Commission To Create a Plan To Incorporate the Probate Courts into the Judicial Branch

(H.P. 530) (L.D. 719)

(C. "A" H-588)

Resolve, Regarding the Shore Damage Mitigation Project in Saco Bay

(H.P. 702) (L.D. 946)

(C. "A" H-585)

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

Acts

An Act Concerning the Regulation of Air Emissions at Petroleum Storage Facilities

(H.P. 119) (L.D. 163)

(H. "A" H-582 and S. "A" S-221 to C. "A" H-441)

An Act To Prohibit Contributions, Expenditures and Participation by Foreign Government-owned Entities To Influence Referenda

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

(C. "A" S-125; H. "A" H-581)

An Act Regarding Recording of Witness Interviews

(H.P. 324) (L.D. 448)

(C. "A" H-571)

An Act To Establish a Fund To Compensate Unjustly Incarcerated Persons

(H.P. 352) (L.D. 478)

(C. "A" H-575)

An Act To Amend the Safe Haven Laws

(H.P. 405) (L.D. 560)

(C. "A" H-570)

An Act To Enhance Tribal-State Collaboration in the Enforcement of Child Support

(H.P. 407) (L.D. 562)

(C. "A" H-569)

An Act To Increase the Value of Property Exempt from Attachment and Execution

(H.P. 542) (L.D. 737)

(C. "A" H-589)

An Act Regarding Civil Mental Health Evaluations of Former Criminal Defendants

(H.P. 552) (L.D. 747)

(C. "A" H-586)

An Act To Ensure the Appropriate Allocation of Victim Restitution

(H.P. 602) (L.D. 834)

(C. "A" H-595)

An Act Regarding Deferred Disposition

(H.P. 609) (L.D. 841)

(C. "A" H-568)

An Act To Increase the Fees Paid to Sheriffs and Their Deputies for Service of Civil Process Documents

(H.P. 621) (L.D. 853)

(C. "A" H-594)

An Act Regarding Notice by Health Insurance Carriers of Policy Changes

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

CONSENT CALENDAR

First Day

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

(H.P. 1279) (L.D. 1730) Bill "An Act To Correct Inconsistencies, Conflicts and Errors in the Laws of Maine" (EMERGENCY) Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-646)**

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

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

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

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

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

(H.P. 312) (L.D. 432) Resolve, To Improve Behavioral Health Care for Children Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-655)**

(H.P. 980) (L.D. 1328) Bill "An Act To Protect Maine Electricity Customers from Threats of Disconnection in the Wintertime" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-637)**

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.

ENACTORS

Emergency Measure

An Act To Amend Maine's Harness Racing Laws Regarding Race Dates and Pari-mutuel Pools

(H.P. 1200) (L.D. 1611)
(H. "A" H-546 to C. "A" H-403)

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

On motion of Representative DILLINGHAM of Oxford, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

Acts

An Act Regarding the Issuance of a Birth Certificate Following a Gender Marker Change

(H.P. 623) (L.D. 855)

An Act To Protect Teachers' Privacy While Delivering Remote Instruction

(H.P. 632) (L.D. 864)
(C. "A" H-596)

An Act To Require Election Transparency and Audits

(H.P. 833) (L.D. 1155)
(H. "A" H-597 to C. "A" H-530)

An Act To Reduce the Burden on Courts and Promote the Resolution of Civil Cases

(H.P. 838) (L.D. 1160)
(C. "A" H-590)

An Act To Bring Gender Parity to Corporate Boards

(H.P. 878) (L.D. 1200)
(C. "A" H-573)

An Act To Support Survivors of Sex Trafficking and Exploitation

(H.P. 1071) (L.D. 1455)
(C. "A" H-587)

An Act To Expand Tenant Representation on Boards of Directors of Nonprofit Housing Corporations

(H.P. 1195) (L.D. 1606)
(C. "A" H-567)

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 the Revisor of Statutes To Compile a List of Mandatory Minimum Sentences Contained in the Maine Revised Statutes

(H.P. 959) (L.D. 1303)
(C. "A" H-574)

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**.

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

Representative **GREENWOOD**: Mr. Speaker, I wish unanimous consent to speak on the record.

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

Representative **GREENWOOD**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Had I been in my seat on supplement five, item 6-6, Roll Call No. 296 on LD 727, I would have voted no.

On motion of Representative DUNPHY of Old Town, the House adjourned at 10:05 p.m., until 11:00 a.m., Wednesday, June 16, 2021.