

# MAINE STATE LEGISLATURE

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

**Daily Edition**

**Second Regular Session**

beginning January 5, 2022

beginning at page H-1003

ONE HUNDRED AND THIRTIETH LEGISLATURE  
SECOND REGULAR SESSION  
6th Legislative Day  
Wednesday, March 9, 2022

Representative TUELL of East Machias assumed the Chair.

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

Prayer by Reverend Russ Willette, The Navigators and Capital Ministries, Gorham.

National Anthem by Ange Pitteroff of Randolph.  
Pledge of Allegiance.

The Journal of Wednesday, February 23, 2022 was read and approved.

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**COMMUNICATIONS**

The Following Communication: (H.P. 1493)

**STATE OF MAINE  
CLERK'S OFFICE**

**2 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0002**

February 28, 2022

Honorable Ryan M. Fecteau

Speaker of the House

130th Legislature

Honorable Troy D. Jackson

President of the Senate

130th Legislature

Dear Mr. Speaker and Mr. President:

On February 28, 2022, 4 bills were received by the Clerk of the House.

Pursuant to the provisions of Joint Rule 308.2, these bills were referred to the Joint Standing Committees on February 28, 2022, as follows:

**Health Coverage, Insurance and Financial Services**

Bill "An Act To Ensure Fairness of Representation in Insurance Disputes" (H.P. 1490) (L.D. 2004) (Sponsored by Representative MARTIN of Eagle Lake) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.)

**Labor and Housing**

Bill "An Act To Implement the Recommendations of the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions" (EMERGENCY) (H.P. 1489) (L.D. 2003) (Sponsored by Speaker FECTEAU of Biddeford) (Cosponsored by Senator HICKMAN of Kennebec and Representative: ARATA of New Gloucester) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.)

Bill "An Act To Improve the Low-income Home Energy Assistance Program" (EMERGENCY) (H.P. 1492) (L.D. 2006) (Sponsored by Representative LaROCHELLE of Augusta) (Cosponsored by Representatives: CUDDY of Winterport, GERE of Kennebunkport, PEBWORTH of Blue Hill, ROEDER of Bangor, TALBOT ROSS of Portland, TEPLER of Topsham) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.)

**State and Local Government**

Bill "An Act Regarding the Reapportionment of the Knox County Budget Committee Districts" (EMERGENCY) (H.P. 1491) (L.D. 2005) (Sponsored by Representative DUNPHY of Old Town) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.)

Sincerely,  
S/Robert B. Hunt  
Clerk of the House  
S/Darek M. Grant  
Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**  
Sent for concurrence.

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The Following Communication: (H.C. 370)

**STATE OF MAINE  
ONE HUNDRED AND THIRTIETH LEGISLATURE  
COMMITTEE ON JUDICIARY**

February 28, 2022

President Troy Jackson

Maine State Senate

Speaker Ryan Fecteau

Maine House of Representatives

130th Legislature

Dear Mr. President and Mr. Speaker:

Pursuant to Title 3 Maine Revised Statutes, chapter 35, we are pleased to submit the findings of the Joint Standing Committee on Judiciary from the review and evaluation of the Maine Human Rights Commission under the State Government Evaluation Act. In its review, the Committee found that the Maine Human Rights Commission is operating within its statutory authority.

Sincerely,  
S/Sen. Anne M. Carney

Senate Chair

S/Rep. Thom Harnett

House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 375)

**STATE OF MAINE  
ONE HUNDRED AND THIRTIETH LEGISLATURE  
COMMITTEE ON INNOVATION, DEVELOPMENT,  
ECONOMIC ADVANCEMENT AND BUSINESS**

March 4, 2022

The Honorable Troy D. Jackson

President of the Senate

The Honorable Ryan Fecteau

Speaker of the House

130th Legislature

State House

Augusta, ME 04333

Dear President Jackson and Speaker Fecteau:

Please accept this letter as the report of the findings of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business from its review and evaluation of the Department of Economic and Community Development under the State Government Evaluation Act, Title 3, Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the committee notified the Department of Economic and Community Development by letter of its intent to review the department on April 30, 2021. The Department of Economic and Community Development submitted its program evaluation report by November 1, 2022 and presented the report to the committee on January 25, 2022. The committee held work sessions on February 1, 2022 and February 17, 2022.

The committee has reviewed the report and finds the Department of Economic and Community Development is

operating within its statutory authority. Additionally, the committee commends the Department of Economic and Community Development for their work in developing programs and dispensing millions of federal funds in order to help keep businesses within this State afloat as they faced the challenges brought on by the COVID-19 pandemic over the last two years.

Sincerely,

S/Sen. Chip Curry

Senate Chair

S/Rep. Tiffany Roberts

House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 376)

**STATE OF MAINE**

**ONE HUNDRED AND THIRTIETH LEGISLATURE  
COMMITTEE ON INNOVATION, DEVELOPMENT,  
ECONOMIC ADVANCEMENT AND BUSINESS**

March 4, 2022

The Honorable Troy D. Jackson

President of the Senate

The Honorable Ryan Fecteau

Speaker of the House

130th Legislature

State House

Augusta, ME 04333

Dear President Jackson and Speaker Fecteau:

Please accept this letter as the report of the findings of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business from its review and evaluation of the Maine Development Foundation under the State Government Evaluation Act, Title 3, Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the committee notified the Maine Development Foundation by letter of its intent to review the foundation on April 30, 2021. The Maine Development Foundation submitted its program evaluation report on January 22, 2022 and presented the report to the committee on January 25, 2022. The committee held work sessions on February 1, 2022 and February 17, 2022.

In their program evaluation report, the Maine Development Foundation noted that the Maine Economic Growth Council has not fulfilled the function described in Title 10, section 929-C related to developing specific annual budgetary recommendations to support the innovation economy action plan as described in Title 10, chapter 107-D. After review, the committee acknowledges that the inability to fulfill this function is due to a lack of capacity and resources, and not from a lack of awareness on the part of the foundation or the council.

The committee has reviewed the report and finds the Maine Development Foundation is operating within its statutory authority. Additionally, the committee commends the Maine Development Foundation for their ability to pivot when facing the challenges brought on by the COVID-19 pandemic and to continue to provide exceptional programming and services, including the Policy Leaders Academy, in alternative formats. The committee would also like to express their appreciation for the Maine Development Foundation as a trusted source of information, especially as it relates to information on economic growth and workforce development.

Sincerely,

S/Sen. Chip Curry

Senate Chair

S/Rep. Tiffany Roberts

House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 377)

**STATE OF MAINE**

**HOUSE OF REPRESENTATIVES**

**SPEAKER'S OFFICE**

**AUGUSTA, MAINE 04333-0002**

March 9, 2022

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under House Rule 201.1 (H), I appoint Representative William R. Tuell of East Machias to serve as Speaker Pro Tem to convene the House on Wednesday, March 9, 2022.

Sincerely,

S/Ryan M. Fecteau

Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 371)

**STATE OF MAINE**

**ONE HUNDRED AND THIRTIETH LEGISLATURE  
COMMISSION TO DEVELOP A PAID FAMILY AND  
MEDICAL LEAVE BENEFITS PROGRAM**

February 22, 2022

Honorable Ryan M. Fecteau

Speaker of the House

130th Legislature

Honorable Troy D. Jackson

President of the Senate

130th Legislature

Dear Mr. Speaker and Mr. President:

Pursuant to Resolve 2021, chapter 122 the Commission to Develop a Paid Family and Medical Leave Benefits Program is pleased to submit its final report. Copies of the full report have been distributed to committees or individuals as directed by law and copies have been placed on file with the Law and Legislative Reference Library. Others may access the full report on-line through the website of the Office of Policy and Legal Analysis at [www.legislature.maine.gov/opla](http://www.legislature.maine.gov/opla).

Sincerely,

S/Sen. Matthea Daughtry

Senate Chair

S/Rep. Kristen Cloutier

House Chair

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

The Following Communication: (H.C. 372)

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

March 9, 2022

Honorable Ryan M. Fecteau  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Dear Speaker Fecteau:

Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass:"

Education and Cultural Affairs

L.D. 1777 An Act To Amend the Laws Regarding Education Service Centers Environment and Natural Resources

L.D. 676 An Act To Reclassify Part of the Androscoggin River to Class B Health and Human Services

L.D. 1755 An Act To Enhance the Child Welfare Ombudsman Program

L.D. 1790 An Act To Ensure Equitable Geographic Access to Long-term Care Services in the Department of Health and Human Services

L.D. 1791 An Act Directing the Department of Health and Human Services To Provide Notice to Hospitals of Nursing Facility Closures

L.D. 1812 An Act To Strengthen the Child Welfare Services Ombudsman Program by Providing for Increased Staffing

L.D. 1834 An Act To Establish Ongoing Monitoring of Maine's Child Protective Services

L.D. 1866 An Act To Ensure Low-income Families and Children with Special Needs Can Access After-school Services

Health Coverage, Insurance and Financial Services

L.D. 1706 An Act To Require Appropriate Coverage of and Cost-sharing for Generic Drugs and Biosimilars

L.D. 1973 An Act To Support Frontline Health Care Workers by Waiving Professional Licensing Fees

Inland Fisheries and Wildlife

L.D. 1991 An Act Related to the Electronic Registration and Tagging of Big Game

Innovation, Development, Economic Advancement and Business

L.D. 1977 An Act To Require Registration by General Contractors for Home Improvement and Construction

Judiciary

L.D. 1568 An Act To Implement the Recommendations of the Task Force on Changes to the Maine Indian Claims Settlement Implementing Act

Taxation

L.D. 1334 An Act To Promote Economic Development through Increased Film Incentives

L.D. 1689 An Act To Ensure Equity in the Clean Energy Economy by Providing a Limited Tax Exemption for Certain Clean Energy Infrastructure Projects

Sincerely,  
S/Robert B. Hunt

Clerk of House

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

The Following Communication: (H.C. 373)

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
SPEAKER'S OFFICE  
AUGUSTA, MAINE 04333-0002**

March 9, 2022

Honorable Robert B. Hunt  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised that pursuant to her authority, Governor Janet T. Mills has nominated the following:  
on February 23, 2022

Guy Langevin of Scarborough, Luann Ballestros of Glenburn, Tracey Cooley of Pittsfield, Grant Provost of South Berwick, The Honorable John L. Patrick of Rumford and Jason Shedlock of South Portland for reappointment and Aileen Huang-Saad of Falmouth, Robin Wood of West Gardiner, Gordon McAleer of Rockport, Christopher S. Morley of Dedham and Jennifer O'Leary of Brunswick for appointment to the State Workforce Board.

Pursuant to Title 26 MRSA §2006, these reappointments and appointments are contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Labor and Housing.

William L. Caron, Jr. of Cape Elizabeth and Jennifer Hogan of Turner for appointment to the Finance Authority of Maine.

Pursuant to Title 10, MRSA §965, these appointments are contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Innovation, Development, Economic Advancement and Business.

Alaina B. Adams, Ph.D. of West Roxbury, MA, John S. Webb, Esquire of Arundel and Roxanna MacGregor of Eastport as the Student Trustee and S. Catherine Longley of Bar Harbor for appointment to the Maine Maritime Academy Board of Trustees and Roxanna MacGregor of Eastport as the Student Trustee for appointment to the Maine Maritime Academy Board of Trustees.

Pursuant to Title 5 §12004-C and Public Law 1941, c. 37, §1, as amended by P&SL 1993, c 27, §1, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Marguerite Miller Fleming of Portland for appointment to the Northern New England Passenger Rail Authority.

Pursuant to Title 23, MRSA §8112, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Transportation.

Noël Bonam of Portland for appointment as a Commissioner of the Maine State Housing Authority.

Pursuant to Title 30-A, MRSA §4723.2, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Labor and Housing.

on March 7, 2022

Cherie Wendelken of Portland, Margaret B. Angell of Cape Elizabeth and Elizabeth Ann Neptune of Indian Township for appointment to the Maine Community College System Board of Trustees.

Pursuant to Title 20-A, MRSA §12705, these appointments are contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

John H. King, Esquire of Islesboro for appointment to the Maine Maritime Academy Board of Trustees.

Pursuant to Title 5 §12004-C and Public Law 1941, c. 37, §1, as amended by P&SL 1993, c 27, §1, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Timothy L. Doak of Fort Kent for reappointment and The Honorable Donna M. Loring of Bradley and Barbara Alexander, Esquire of Winthrop for appointment to the University of Maine System Board of Trustees.

Pursuant to Title 5, MRSA §12004-C, this reappointment and these appointments are contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Diane L. Dunn of Newburgh for appointment to the Maine State Harness Racing Commission.

Pursuant to Title 8, MRSA §261-A, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Agriculture, Conservation and Forestry.

Honorable Rick E. Lawrence of Portland for appointment as a Justice of the Maine Supreme Court.

Pursuant to Article V, Part First, §8, of the Maine Constitution, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Judiciary.

The Honorable Mary Michaela Murphy of Rome, The Honorable Wayne R. Douglas of Ocean Park and The Honorable Bruce C. Mallonee of Bangor for reappointment and Julia M. Lipez, Esq of Cape Elizabeth for appointment as Justices of the Maine Superior Court.

Pursuant to Article V, Part First, §8, of the Maine Constitution, these reappointments and this appointment are contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Judiciary.

Andrew S. Robinson, Esq. of Farmington and The Honorable Amy L. Faircloth of Bangor for appointment as Judges of the Maine District Court.

Pursuant to Title 4, MRSA §157, these appointments are contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Judiciary.

The Honorable Thomas E. Humphrey of Sanford for appointment as an Active Retired Justice of the Maine Supreme Court.

Pursuant to Article V, Part First, §8, of the Maine Constitution, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Judiciary.

The Honorable Peter J. Goranites of Cumberland and The Honorable Rae Ann French of Augusta for reappointment as Active Retired Judges on the Maine District Court.

Pursuant to Title 4, MRSA §157-B, these reappointments are contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Judiciary.

Sincerely,  
S/Ryan M. Fecteau  
Speaker of the House

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

The Following Communication: (H.C. 374)

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

March 9, 2022

Honorable Ryan M. Fecteau  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Dear Speaker Fecteau:

Pursuant to Joint Rule 310, the Committee on Innovation, Development, Economic Advancement and Business has approved the request by the sponsor, Senator Daughtry of Cumberland, to report the following "Leave to Withdraw:"

L.D. 812 An Act To Provide Student Loan Debt Relief  
Pursuant to Joint Rule 310, the Committee on Innovation, Development, Economic Advancement and Business has approved the request by the sponsor, Representative Pierce of Falmouth, to report the following "Leave to Withdraw:"

L.D. 892 An Act To Implement the Recommendations of the Governor's Economic Recovery Committee

Sincerely,  
S/Robert B. Hunt  
Clerk of the House

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

The Speaker resumed the Chair.  
The House was called to order by the Speaker.

The SPEAKER: The Chair wishes to thank the Representative from East Machias, Representative Tuell for his service as Speaker Pro Tem and his four terms of service to the people of the great State of Maine.

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

**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

Bill "An Act To Establish a Court Process for Involuntary Substance Use Disorder Treatment"

(H.P. 1496) (L.D. 2008)

Sponsored by Representative MADIGAN of Waterville.  
Cosponsored by Senator MOORE of Washington and Representatives: COLLINGS of Portland, Speaker FECTEAU of Biddeford, HARNETT of Gardiner, MEYER of Eliot, MILLETT of Cape Elizabeth, O'NEIL of Saco, TALBOT ROSS of Portland, ZAGER of Portland.

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

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

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

Sent for concurrence.

**Pursuant to Public Law  
Joint Standing Committee on Environment and Natural  
Resources**

Representative TUCKER for the **Joint Standing Committee on Environment and Natural Resources** pursuant to Public Law 2021, chapter 279, section 3 asks leave to report that the accompanying Bill "An Act To Implement Recommendations Regarding the Incorporation of Equity Considerations in Regulatory Decision Making"

(H.P. 1500) (L.D. 2018)

Be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and printed pursuant to Joint Rule 218.

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

Subsequently, the Bill was **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

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

**Pursuant to Resolve  
Joint Standing Committee on Agriculture, Conservation  
and Forestry**

Representative O'NEIL for the **Joint Standing Committee on Agriculture, Conservation and Forestry** pursuant to Resolve 2021, chapter 83, section 2 asks leave to report that the accompanying Bill "An Act To Require the Registration of Adjuvants in the State and To Regulate the Distribution of Pesticides with Perfluoroalkyl and Polyfluoroalkyl Substances"

(H.P. 1501) (L.D. 2019)

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and printed pursuant to Joint Rule 218.

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

Subsequently, the Bill was **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

**Pursuant to Resolve  
Joint Standing Committee on Energy, Utilities and  
Technology**

Representative BERRY for the **Joint Standing Committee on Energy, Utilities and Technology** pursuant to Resolve 2021, chapter 29, section 1 asks leave to report that the accompanying Bill "An Act To Implement the Crisis Response Services Recommendations Identified Pursuant to Resolve 2021, Chapter 29"

(H.P. 1498) (L.D. 2016)

Be **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and printed pursuant to Joint Rule 218.

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

Subsequently, the Bill was **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

**Pursuant to Resolve  
Joint Standing Committee on Energy, Utilities and  
Technology**

Representative BERRY for the **Joint Standing Committee on Energy, Utilities and Technology** pursuant to Resolve 2021, chapter 63, section 2 asks leave to report that the accompanying Resolve, Regarding Monitoring of and Reporting on Energy Use Data Standards and Online Energy Data Platforms

(H.P. 1499) (L.D. 2017)

Be **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and printed pursuant to Joint Rule 218.

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

Subsequently, the Resolve was **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

**Pursuant to Statute  
Joint Standing Committee on Energy, Utilities and  
Technology**

Representative BERRY for the **Joint Standing Committee on Energy, Utilities and Technology** pursuant to the Maine Revised Statutes, Title 2, section 9, subsection 3, paragraph C-1 asks leave to report that the accompanying Bill "An Act To Update the Comprehensive State Energy Plan To Achieve the State Energy Vision"

(H.P. 1497) (L.D. 2015)

Be **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and printed pursuant to Joint Rule 218.

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

Subsequently, the Bill was **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

---

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

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The following item was taken up out of order by unanimous consent:

**Pursuant to Public Law  
Joint Standing Committee on Environment and Natural  
Resources**

Representative TUCKER for the **Joint Standing Committee on Environment and Natural Resources** pursuant to Public Law 2021, chapter 449, section 2 asks leave to report that the accompanying Bill "An Act To Implement Recommendations Regarding the Regulation of Firefighting or Fire-suppressing Foams to Which Perfluoroalkyl and Polyfluoroalkyl Substances Have Been Intentionally Added"

(H.P. 1502) (L.D. 2020)

Be **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and printed pursuant to Joint Rule 218.

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

Subsequently, the Bill was **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

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

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Representative BICKFORD of Auburn assumed the Chair.

The House was called to order by the Speaker Pro Tem.

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### ORDERS

On motion of Representative HARNETT of Gardiner, the following Joint Resolution: (H.P. 1494) (Cosponsored by Senator CARNEY of Cumberland and Representatives: CARDONE of Bangor, MORALES of South Portland, MORIARTY of Cumberland, RECKITT of South Portland, Senator: BAILEY of York)

#### **JOINT RESOLUTION RECOGNIZING ACCESS TO JUSTICE DAY**

WHEREAS, 2022 marks the 27th anniversary of Maine's Justice Action Group, a judge-led coalition of leaders from Maine's legal community who are passionate about helping all Maine people have access to civil justice; and

WHEREAS, the coalition members include representatives of the state and federal judiciary, the Legislature, nonprofit civil legal aid providers, the University of Maine School of Law, the Maine Justice Foundation, the Maine State Bar Association, the Maine Trial Lawyers Association, private practice attorneys and others; and

WHEREAS, key initiator Judge Frank Coffin described the Justice Action Group as a catalyst, something introduced in small quantities that produces great change, and the Justice Action Group has been an advocate for equal access to justice since its beginnings; and

WHEREAS, equal access to justice is a bedrock principle of a free, constitutional society, but no system of laws and constitutional protections can be effective if only those who can afford private advocates have access to justice; and

WHEREAS, because justice for all is achievable only through the vigilance and action of the legislative, judicial and executive branches of government, it is important to provide for access to justice in all branches of State Government; and

WHEREAS, providing equal access to justice has tangible, widespread benefits for Maine's families, children, schools, communities, businesses, charities and government; and

WHEREAS, legal issues profoundly affect basic human needs such as safety from violence and exploitation, security and stability for children and the families in which they are nurtured, health, shelter and food security; and

WHEREAS, the need for increased support for civil legal aid and pro bono representation for low-income and vulnerable Maine people remains acute; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Thirtieth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take

this opportunity to declare March 1, 2022 as Access to Justice Day to acknowledge and express our appreciation and strong support for Maine's civil legal aid providers and private practice attorneys who provide pro bono services for those otherwise unable to afford legal representation; and be it further

**RESOLVED:** That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Justice Action Group.

**READ** and **ADOPTED**.

Sent for concurrence.

---

On motion of Representative GRAMLICH of Old Orchard Beach, the following Joint Resolution: (H.P. 1495) (Cosponsored by Senator DESCHAMBAULT of York and Representatives: ARFORD of Brunswick, BRENNAN of Portland, CRAFTS of Newcastle, MADIGAN of Waterville, McCREIGHT of Harpswell, SACHS of Freeport, WARREN of Hallowell)

#### **JOINT RESOLUTION RECOGNIZING MARCH 2022 AS SOCIAL WORK MONTH**

WHEREAS, social workers have paved the way for change by enhancing the well-being of all people, especially the most vulnerable in society; and

WHEREAS, social workers have helped lead the nation's struggle for social justice and continue to advocate for positive social change and, more than the members of any other profession, social workers recognize that more must be done to address the persistent social problems that plague the State; and

WHEREAS, social workers support diverse families in every community and understand that individuals and communities together can bring about change; and

WHEREAS, social workers advocate for the rights of the disadvantaged and oppressed; and

WHEREAS, social workers advocate for children's rights to a safe environment and a good education; and

WHEREAS, social workers advocate for lesbian, gay, bisexual, transgender and queer rights; and

WHEREAS, social workers advocate for the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to development, implementation and enforcement of environmental laws, rules and policies; and

WHEREAS, social workers work to ensure good care is provided to older adults; and

WHEREAS, social workers help provide community support for veterans and their families after their service; and

WHEREAS, social workers strive to improve access to mental health treatment and health care services in order to save lives; and

WHEREAS, social workers effect change and put the ideals of citizenship into action every day through legislative, regulatory and social policy efforts; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Thirtieth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize March 2022 as Social Work Month; and be it further

**RESOLVED:** That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the University of Maine, Orono, School of Social Work; the University of Maine, Presque Isle, College of Professional Programs and Education, Social Work; the University of Southern Maine, School of Social Work; the University of New



England, School of Social Work; and Saint Joseph's College, Social Work program.

**READ.**

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

Representative **GRAMLICH**: Thank you, Mr. Speaker. Mr. Speaker and Colleagues of the House, I rise today in honor and support of National Professional Social Work Month. The primary mission of the social work profession is to enhance human wellbeing and meet the basic need and complex needs of all people, with a particular focus on those who are vulnerable, oppressed and living in poverty. Social work continues to be one of the fastest-growing professions in the nation. You can find social workers literally everywhere in society. Chances are that each of you know a social worker and have a social worker touch your lives as we are in federal, State, local government pushing for legislation, regulations and improving the quality of life through advocacy. In fact, Mr. Speaker, I am pleased to share that we have eight social workers in this legislative Body alone and we have one in the other chamber. We are the only profession that works to have a positive impact on the lives of individuals while simultaneously working to affect systemic change. The services of social workers are needed now more than ever as Maine and the nation grapples with issues such as income inequality, the opioid epidemic, the housing and homelessness issue, the climate crisis and our continued struggle for equal rights for all. This year's theme, Mr. Speaker, for social work month, is the time is right for social work. As we continue to confront the COVID pandemic which has exacerbated the crisis of our behavioral health care system in Maine, I would say the time is indeed right for social work. During social work month, I hope that you will all take the time to learn more about our profession and support the work of social workers in improving the lives of individuals and families in our society. Thank you, Mr. Speaker.

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

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On motion of Representative MARTIN of Eagle Lake, the following House Order: (H.O. 18)

ORDERED, that Representative Danny Edward Costain of Plymouth be excused February 16 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Frances M. Head of Bethel be excused January 5 and 26 and February 10 and 16 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Thomas H. Skolfield of Weld be excused February 16 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Joseph F. Underwood of Presque Isle be excused February 23 for health reasons.

**READ and PASSED.**

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**SPECIAL SENTIMENT CALENDAR**

In accordance with House Rule 519 and Joint Rule 213, the following items:

**Recognizing:**

the Westbrook Fire Department, for its work throughout the COVID-19 Pandemic. In August 2020, as cases of Covid-19 rapidly increased, the Westbrook Fire Department formed partnerships with the Maine Department of Health and Human Services and the Maine Center for Disease Control and Prevention to create a Covid-19 testing site, becoming the only municipal fire department in the State to add a testing center into its daily operations. For nearly a year and a half, the department supported the testing mission, conducting more than 50,000 Covid-19 tests and also offering vaccine and booster clinics reaching hundreds of citizens. We extend our appreciation and best wishes;

(HLS 546)

Presented by Representative RIELLY of Westbrook.

Cosponsored by Senator BREEN of Cumberland, Senator SANBORN of Cumberland, Representative SALISBURY of Westbrook.

On **OBJECTION** of Representative RIELLY of Westbrook, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The SPEAKER PRO TEM: The Chair recognizes the Representative from Westbrook, Representative Rielly.

Representative **RIELLY**: Mr. Speaker, Ladies and Gentlemen of the House, Rep. Salisbury and I want to thank the Westbrook Fire Department for its incredible work throughout the COVID-19 pandemic. In August 2020, as cases of COVID-19 rose rapidly, the Westbrook Fire Department stepped up and did incredible work. I mean, it's truly amazing, conducting more than 50,000 COVID-19 tests and also offering vaccine and booster clinics. I mean, they truly represent the best of Westbrook and we extend our appreciation and thanks to them.

Subsequently, this Expression of Legislative Sentiment was **PASSED** and sent for concurrence.

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**In Memory of:**

Nan Heald, of Portland, Executive Director of Pine Tree Legal Assistance. Ms. Heald worked for decades to ensure that state and federal laws affecting poor people were upheld and to address systemic barriers to justice. In 1985, she joined Pine Tree Legal Assistance as a staff attorney in its Native American Unit, where her primary responsibility was to redress the exclusion of the Aroostook Band of Micmacs from the 1980 Maine Indian Claims Settlement Act, which was eventually redressed through federal legislation. In 1990, she became executive director, serving until her death. Under her leadership, the agency became a nationally recognized leader in innovative uses of technology to advance access to justice and legal aid. She expanded access to legal aid for many vulnerable populations, including children, victims of domestic violence and sexual assault and low-income veterans, and started a clinic for low-income taxpayers, a nationally recognized foreclosure and consumer program and a housing discrimination program. She served on the Legal Services Corporation Eviction Task Force, Veterans Task Force and Task Force on Pro Bono, as well as on the Advisory Committee of Providers to Maine's Justice Action Group, the Maine Judicial Branch Advisory Committee on Fees and the

American Bar Association Veterans Legal Services Commission. In 2011, she was honored by the White House as a Champion of Change. In 2015, she earned the American Bar Association Grassroots Advocacy Award and in 2018 became a Fellow of the American Bar Foundation. She also received the American Civil Liberties Union Justice Louis Scolnik Award in 2010 and the Maine Justice Foundation Howard H. Dana Award in 2018, among other recognitions. Ms. Heald will be long remembered and sadly missed by her family and friends and all those whose lives she touched;

(SLS 664)

On **OBJECTION** of Representative RECKITT of South Portland, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

Representative **HARNETT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise today to remember the life and honor the legacy of Nan Heald. I had the honor and privilege of knowing and working with Nan Heald for over 30 years and I am a better person as a result. You just heard of Nan's remarkable legal career and many, many accomplishments. Nan was celebrated for her work on legal aid and access to justice in Maine, nationally and even at the White House where she was named a Champion of Change. We would be here most of the day if I listed all of the awards and recognitions that Nan received. Rest assured, though, that every award and recognition was hard-earned and well-deserved. But it is not the awards that define Nan. Nan Heald was many things. She was smart, she was hard working, she was driven. She was completely dedicated to fairness and to justice. She was an innovator in the ways legal services were delivered to Maine's most marginalized and often forgotten and invisible residents and families. Nan was a change-maker. Nan was passionate; passionate about the people she served and the colleagues who worked with her. She was passionate about justice and access to justice. Nan was fierce; fierce in a good way, as she was fiercely committed to everything that she did. It is not an overstatement to say that Nan Heald's work saved many lives and her work dramatically improved the lives of many, many more people throughout the State of Maine. Nan was also kind. She was caring. She was thoughtful. She was a true warrior for justice. Nan embodied all that is good in us humans. Nan Heald, and I do not use this word lightly, was a hero to me and I am proud to honor her today. Nan will be sorely missed but her legacy will live on forever. Thank you, Nan.

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

Representative **TEPLER**: Thank you, Mr. Speaker. Mr. Speaker and Men and Women of the House, I also found Nan Heald to be one of my heroes. My husband also found her to be one of his heroes. It is a great loss to the State of Maine that she has left us and it is very fitting that we honor her today; Access to Justice Day. Nan personified access to justice in Maine. Thank you.

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

Representative **RECKITT**: Thank you. I'm sorry I didn't jump up sooner. I won't list the long things about Nan. For

one thing, I'll cry if I do it. I want to share two pieces of the intersection of our lives. You read in the resolution that Nan became the executive director in 1990 of Pine Tree Legal. That was the year I returned to be the executive director of Family Crisis Services. We were both United Way agencies together. I went to thousands of meetings with her, it felt like, it was probably only tens of hundreds but, in any case, she was a friend, she was a colleague and an ally and I believed in her so much and her intellect and her goodness. I trusted her totally. Whenever I had problems and I couldn't figure them out and they had anything at all to do with the law, I would call Nan and she would bail me out of my quandary. She was a kind and decent and wonderful person who left us too quickly. I just want to share the last interaction I had with her, which was on the fourth floor of this building not three months ago after a hearing, I don't remember about what. But I do remember Nan was in the hallway and I said to her Nan, really, don't you think you should come run for the Legislature? It would be wonderful to have you here, think of the trouble we could cause together. And, frankly, I never knew what party she was in, but I knew we could cause trouble together if we worked at it. And she smiled and said we'd talk. And shortly thereafter I got an email from her explaining why it was that she was not going to do that, as much as she would have loved to have served in this Body. And so, today, I stand in memory of her and cry a little because that's what I do when I lose friends who are so close. And I'm happy that her husband, Frank D'Alessandro, is here to see the honor that we have given to her today and I'm sorry that I'm not more articulate but I would just cry too much for you to even be able to understand what I was going to say. She was a wonderful woman, a great friend and a partner in justice. Thank you so much.

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Readfield, Representative Hasenfus.

Representative **HASENFUS**: Thank you, Mr. Speaker. It is with great pleasure today that I welcome the members of the Winthrop Field Hockey team to the House today to celebrate their State championship last fall. It is no secret that Winthrop Field Hockey holds a special place in my family, which makes this welcome even sweeter. My wife, a former member of the Winthrop Field Hockey team and I, a former Rambler myself, know how thrilling a playoff run feels. Leaving memories that last a lifetime and are almost certain to be topics of conversation any time old teammates reunite. We all dreamt of the team embrace after the buzzer sounds at the title game, but it is only very best, those who are able to combine immense talent with exceptionally hard work, who are able to make this dream a reality.

This fall, when Winthrop was given a corner and Maddie Perkins found the corner of the goal cage, breaking the two-two tie with just over a minute left, all of us in attendance, including former players, future players and devoted fans realized the girls before you today realized that the dreams they had and capped a perfect season, 18-0, unbeaten, with a thrilling victory. And what made it even more sweet is knowing that the long-time Winthrop Field Hockey coach, Sharon Coulton, came out of retirement for that season and was crowned State champion. Congratulations, ladies. Carry your victory with pride. It is not easy and you earned it. Thank

you for bringing the title home and thank you for the opportunity for me to proclaim from the House floor; Rambler pride.

Subsequently, this Expression of Legislative Sentiment was **ADOPTED** in concurrence.

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**In Memory of:**

Timmy J. Boynton, of Gorham. Mr. Boynton worked for Associated Grocers of Maine for 37 years as a warehouseman and union shop steward, taking a leave-of-absence from this position to work for the International Brotherhood of Teamsters Local 340 as a full-time special project coordinator on the Kerry/Edwards Presidential campaign. After Associated Grocers closed, he worked as a Peer Support Worker aiding his former co-workers with their future endeavors. Most recently, he collected tolls for the Maine Turnpike Authority. He served for years as a volunteer with Maine Audubon as a nature guide for local school field trips and was a Class D-ranked chess player in the United States Chess Federation. Mr. Boynton will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

(HLS 548)

Presented by Representative BROOKS of Lewiston. Cosponsored by Senator BRENNER of Cumberland, Representative BOYLE of Gorham, Representative TERRY of Gorham.

On **OBJECTION** of Representative BROOKS of Lewiston, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

Representative **BROOKS**: Thank you, Speaker, People of the House. Timmy Boynton was a very special person in our hearts. He was married to my Aunt Linda, he was family and he was very special, great man. One of my memories of him is he asked me at one point he had an idea, something that he would think would be a great legislative effort. And what that was had to do with First Responders. He said if something happened to a First Responder in the line of duty and they lost their lives, I would like to see their family taken care of. And especially he was focused on the children and educational opportunities. And he was hopeful that the Legislature could move towards those goals. And I'm really grateful to say that there are a lot of those frameworks exist but we're improving. His family was very important to him, my Aunt Linda, very important to his work, he put himself into his work and his family. I think of his son as well and his brothers who have really supported him and they really mean a lot to each other. His loss during the pandemic was particularly challenging and anybody's loss is very difficult time to go through. I really respect the life that he lived to its fullest and his family and want to take a moment to think of him and really share his life with Members of this Body and the State of Maine.

Subsequently, this Expression of Legislative Sentiment was **ADOPTED** and sent for concurrence.

**In Memory of:**

Lorraine Vaillancourt, of Augusta. Mrs. Vaillancourt was employed for many years by the Maine State Police as a payroll supervisor, retiring in 2005. She volunteered at the Capital City Jr. Rifle Club and for 13 years at the National Rifle Association National Smallbore Rifle Championships. She was a communicant of St. Augustine Catholic Church. Mrs. Vaillancourt will be long remembered and sadly missed by her husband of over 54 years, Ronald, her family and friends and all those whose lives she touched;

(HLS 549)

Presented by Representative BROOKS of Lewiston. Cosponsored by Senator POULIOT of Kennebec, Representative BRADSTREET of Vassalboro, Representative LaROCHELLE of Augusta.

On **OBJECTION** of Representative BROOKS of Lewiston, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

Representative **BROOKS**: Thank you, Speaker Pro Tem Bickford and People of the House. I rise in honor of my Aunt Lorraine Vaillancourt. Ronnie and Lorraine have been in my family since before I was born. I was doing the math kind of briefly, embarrassing to say and it was before I was born, my Grammie B. and Aunt Lorraine, actually, it was my Grammie B. and Ronnie's mom, Aunt Marge, would speak French and I never understood French completely but I knew sometimes when they would speak French and I would hear my name, I was probably in trouble. That's my interpretation. So, Lorraine was about family and she was a wonderful, wonderful woman and she really cared for her daughters, they cared together for their daughters, Leslie, Laurie and Amy. They have a wonderful family. And I think of Hannah and Hunter and how great they are growing up to be. When I went to her services, I was really amazed by the people who were there and particularly our State Police. And I knew that when we would visit her living room, there was a plaque on the wall about her service to the State of Maine but I didn't realize how deep that was and how much honor and respect that earned for her and she was just a natural caregiver for her family and the community. And going back to my Aunt Marge, I got a job during the pandemic, a part-time job at one of our local hospitals and my Aunt Marge, her picture is on the wall there from 1933 as a nurse in the community. And that just really touches my heart and I think of their family and I really wanted us to also share to honor her and her family because it is about family and the great State as well. Thank you.

Subsequently, this Expression of Legislative Sentiment was **ADOPTED** and sent for concurrence.

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, Wednesday, February 23, 2022 had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Expression of Legislative Sentiment Recognizing the Honorable Beverly Bustin-Hatheway, of Hallowell

(SLS 646)

- In Senate, **READ** and **PASSED**.

TABLED - February 10, 2022 (Till Later Today) by Representative WARREN of Hallowell.

PENDING - **PASSAGE**.

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

Representative **WARREN**: Thank you, Mr. Speaker. Mr. Speaker, what an honor for me to be able to recognize Bev Bustin-Hatheway. Although the sentiment talks just about her service here at the State House, Beverly Bustin-Hatheway actually has served the State of Maine for over 50 years. She started off down in D.C. working for the Veterans Administration when she was a very young woman and then she worked as a field representative for Congresspersons Mitchell and Muskie. And then she served in the United States Senate for, excuse me, in the State Senate for 16 years representing Kennebec County and now she is retiring after 20 years as the Registry of Deeds here in Kennebec County. So, that is quite a career of serving Kennebec County and the entire State of Maine. I just want to give you a couple of stories of Bev because I want you to have the flavor of what an amazing person she is. First of all, I think we all know that there are some times when you go out and do doors and you're like happy if your volunteer doesn't really want to do the whole shift. Well, Beverly isn't that person. She wants to do the whole shift and then she might ask you like what are we going to do you want to start in on tomorrow's? She doesn't let you go home early.

I met yesterday with a couple of Kennebec County Commissioners and we had breakfast and I asked them to give me a couple of stories about Beverly and Commissioner Rines shared a story about they were out doing doors out in West Gardiner in a place that I represent as well and you know how we have those magnets on the side of our cars? Well, one of Beverly's had flown off and it was on the side of the road and she really wanted to find that magnet. And Commissioner Rines was like I don't think we're going to find the magnet, Beverly, we ought to just probably get another set. And that just wasn't going to work and at one point, Beverly just kind of pointed down the road and said Nancy, I think it's that black thing. And they pulled up and Nancy jumps out of the car and she runs over and there was the magnet. And that is a little bit of a story about Bev. She does not give up on anything. And let me tell you one more story about her that has to do with one of the things she's been best at and that's at being a friend and being a mom and being a grandmother. Beverly and Dave, Dave Bustin, who also served in the Legislature and many of us know, Beverly and Dave divorced a long time ago. But if you go to Beverly Bustin's house for Thanksgiving or Christmas, Dave, still her good friend, will be there but so will

all of his current and ex-wives. Because for Beverly, family is that important. And I'm not kidding you guys; they're all there; everyone. She's such a good person, she's such a good public servant and I really appreciate the opportunity to honor her today. Thank you so much.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative **MARTIN**: Thank you, Mr. Speaker and Members of the House. I want to confirm everything that's just been said. I was one of those who very often had to disagree with Beverly on an issue and I knew that before it was all over, I'd cave. Because it was a lot easier and it took less time. But she served the State of Maine and served this county extremely well and for that we need to remember we are thankful for the service that she provided to the people of Maine.

Subsequently, this Expression of Legislative Sentiment was **PASSED** in concurrence.

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Expression of Legislative Sentiment Recognizing the Honorable Christopher W. Rector, of Thomaston

(HLS 521)

TABLED - February 10, 2022 (Till Later Today) by Representative MATLACK of St. George.

PENDING - **PASSAGE**.

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

Representative **MATLACK**: Thank you, Mr. Speaker. Mr. Speaker, I regret that Chris Rector could not be here today. He is on a well-deserved vacation. He and his wife are someplace nice and warm right about now and Betsy's very happy for that. Chris Rector has been a long-time fixture in the midcoast area, especially in Thomaston. He served in the Legislature in the seat that I now hold for several terms and then he moved over to the Senate, as you were told. He was well-regarded in our community, he still is. He still plays an active role in working with people in Thomaston and other communities to lend his expertise in economic development and also knowledge of how things could work with the State and federal government. When he was running for the Legislature, Chris was one of those folks who had ads that had lines and lines and lines of people who supported his campaign. And if you carefully looked at the list, which were not alphabetized, so you would have to read every single name on the list, you would find that it was not just Republicans, it was not just Democrats, it was not just unenrolled, it was members of the community who thought that his voice would best represent ours here in Augusta. He's a great fellow. I'm sorry that he can't be here today to receive our accolades, but he will do more in our area and I'm sure he'll be a voice for communities that want to be successful, as he has been in the past. Thank you.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Camden, Representative Doudera.

Representative **DOUDERA**: Thank you very much, Mr. Speaker. I, too, want to lend my voice to the accolades for Chris Rector.

He's just a source of incredible information but what I love best about him is how much he really cares about our downtowns and our communities. He's the owner in Camden

of Camden Cone, the ice cream parlor at 33 Bayview Street. He's personally responsible, I know, for hiring hundreds and hundreds of high school kids and having them serve all the hungry tourists with their ice cream cones. But he doesn't just talk about how important the downtown is and he isn't just a business owner, I happen to know that he and his wife personally helped a long-time local business last year who they knew was important to the town and, you know, they did it in a behind-the-scenes way that probably most people don't know about. And, finally, I just want to add that if any of you have met Chris Rector, you know that he is famous for wearing a bowtie. He's a bowtie kind of guy. And I happened to look up what a bowtie symbolizes. Bowties are not just the realm of nerds, science guys and James Bond anymore. These days, they represent pure, uncaged creativity, a confident willingness to be different and an uncompromising embrace of style in daily life. And I feel like that encapsulates Chris Rector just perfectly. Thank you.

Subsequently, this Expression of Legislative Sentiment was **PASSED** and sent for concurrence.

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

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Expression of Legislative Sentiment in Memory of  
Amanda Wogaman-Hunt, of Richmond

(HLS 531)

TABLED - February 16, 2022 (Till Later Today) by  
Representative McCREIGHT of Harpswell.

PENDING - **ADOPTION**.

Subsequently, this Expression of Legislative Sentiment was **ADOPTED** and sent for concurrence.

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The SPEAKER PRO TEM: The Chair recognizes the Representative from Old Town, Representative Dunphy, who wishes to address the House on the Record.

Representative **DUNPHY**: Thank you, Mr. Speaker, Women and Men of the House. I rise today to speak to the University of Maine being designated as an R-1 research university. This represents a huge milestone for our State. This journey began in 1998 when the Legislature established the Maine Economic Improvement Fund to support research and development in our universities. This was huge for us. This investment in research put us on a path to be home to discoveries and advancements for years to come.

Mr. Speaker, if we are to succeed in this economy, we will have to innovate, discover, invent, build and market new ideas on our own. We cannot be content to wait for someone else to come to Maine and build factories that produce paychecks. We must be responsive to the needs and dreams of our constituents. And even during the pandemic, the University of Maine has set a record for enrollment numbers. I applaud the leadership at the University of Maine and the University of Maine System for pursuing this vision and seeing it through and I'm glad my colleagues in this chamber and in the other Body have followed through with the necessary support to make this happen. Mr. Speaker, this is a very big deal. With this national designation as an R-1 research

university, Maine joins storied universities like Johns Hopkins, MIT, Cornell and Duke University, just to name a few. This designation is a signal that this is a place where serious groundbreaking study happens and it will become a magnet for additional resources to test our new ideas. Perhaps most importantly, this designation will allow the University of Maine students and staff, our constituents, to stand on the cutting edge of new realms of discovery and innovation at a time when we sorely need those talents to address the challenges that face us today. Our local businesses, farms, entrepreneurs and anyone who wonders where their aspirations can take them have just gotten a tremendous resource and a partner. Mr. Speaker, I don't think it's too much to say that what we are talking about today is in line with the entire purpose of public education; to stimulate growth by providing our own young people with the tools to build a better future. That was the vision of the moral act and the R-1 designation will give us even more to look forward to in the coming century. Thank you.

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The Speaker resumed the Chair.

The House was called to order by the Speaker.

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The SPEAKER: The Chair wishes to thank the Representative from Auburn, Representative Bickford for his service as Speaker Pro Tem and his six terms of service to the people of the State of Maine.

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

**SENATE PAPERS**

Bill "An Act To Amend the Judicial Districts and Divisions for York County"

(S.P. 733) (L.D. 2022)

Came from the Senate, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

**REFERRED** to the Committee on **JUDICIARY** in concurrence.

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**Pursuant to Resolve**

**Joint Standing Committee on Agriculture, Conservation and Forestry**

Report of the **Joint Standing Committee on Agriculture, Conservation and Forestry** pursuant to Resolve 2021, chapter 54, section 1 asks leave to report that the accompanying Bill "An Act To Collect Pesticide Sales and Use Records for the Purpose of Providing Information to the Public"

(S.P. 731) (L.D. 2021)

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and printed pursuant to Joint Rule 218.

Came from the Senate, Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

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

Subsequently, the Bill was **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in concurrence.

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

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Bill "An Act To Protect Consumers' Privacy by Giving Them Greater Control of Their Data and To Establish Consumer Protections Regarding Small Dollar Loans"  
(S.P. 713) (L.D. 1982)

Came from the Senate, **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed.

**REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** in concurrence.

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

#### REPORTS OF COMMITTEE

##### Divided Report

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-777)** on Bill "An Act To Support Employees of the Riverview Psychiatric Center, Including the Riverview Psychiatric Center Outpatient Services Team" (EMERGENCY)

(H.P. 1333) (L.D. 1792)

Signed:

Senators:

CLAXTON of Androscoggin  
BALDACCI of Penobscot

Representatives:

MEYER of Eliot  
CRAVEN of Lewiston  
MADIGAN of Waterville  
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  
PERRY of Calais

#### READ.

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

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

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

The SPEAKER: The Chair recognizes the Representative from Chester, Representative Javner.

Representative **JAVNER**: Thank you, Mr. Speaker, Men and Women of the House. This bill is a clear collective bargaining issue. The Department testified that this is already in progress. This bill is unnecessary. It offers a \$3 an hour pay raise for Riverview, all workers. However, it is setting a wage and very recently in a public hearing, a very distinguished Member of the Body that oversees the fiduciary responsibilities of our State recently said and I quote, we are not in the business of setting hourly wages. I completely agree.

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. 460

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

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carmichael, Collamore, Connor, Corey, Costain, Dolloff, Downes, Ducharme, Faulkingham, Foster, Greenwood, Griffin, Grignon, Haggan, Hall, Hanley, Harrington, Hutchins, Hymanson, Javner, Kinney, Lemelin, Libby, Lyford, Lyman, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Perry, Pickett, Poirier, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Blume, Brennan, Carlow, Cebra, Dillingham, Dodge, Drinkwater, Gifford, Head, Kryzak, Martin, Mason, McDonald, Millett, Paulhus, Prescott, Sharpe, Sylvester, Theriault.

Yes, 73; No, 56; Absent, 19; Vacant, 3; Excused, 0.

73 having voted in the affirmative and 56 voted in the negative, 3 vacancies with 19 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-777)** 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-777)** and sent for concurrence.

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

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

**SENATE PAPERS**

Bill "An Act To Allow the Annexation of Certain Lands by Columbia Falls"

(S.P. 725) (L.D. 2011)

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

**REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

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Bill "An Act To Help Maine Residents with High Electricity Costs"

(S.P. 723) (L.D. 2010)

Came from the Senate, **REFERRED** to the Committee on **TAXATION** and ordered printed.

**REFERRED** to the Committee on **TAXATION** in concurrence.

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**Pursuant to Resolve**

**Joint Standing Committee on Inland Fisheries and Wildlife**

Report of the **Joint Standing Committee on Inland Fisheries and Wildlife** pursuant to Resolve 2021, chapter 107, section 5 asks leave to report that the accompanying Bill "An Act Related to Sunday Hunting"

(S.P. 730) (L.D. 2014)

Be **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and printed pursuant to Joint Rule 218.

Came from the Senate, Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed pursuant to Joint Rule 218.

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

Subsequently, the Bill was **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

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**Pursuant to Joint Rule 353**

**Joint Standing Committee on Agriculture, Conservation and Forestry**

Report of the **Joint Standing Committee on Agriculture, Conservation and Forestry** pursuant to Joint Rule 353 asks leave to report that the accompanying Bill "An Act Relating to Perfluoroalkyl and Polyfluoroalkyl Substances Contamination in the State"

(S.P. 729) (L.D. 2013)

Be **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and printed pursuant to Joint Rule 218.

Came from the Senate, Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed pursuant to Joint Rule 218.

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

Subsequently, the Bill was **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in concurrence.

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**Pursuant to Joint Rule 353**

**Joint Standing Committee on Taxation**

Report of the **Joint Standing Committee on Taxation** pursuant to Joint Rule 353 asks leave to report that the accompanying Bill "An Act To Implement the Recommendations of the Working Group To Review the Process for Ongoing Review of Tax Expenditures by the Legislature"

(S.P. 721) (L.D. 2009)

Be **REFERRED** to the Committee on **TAXATION** and printed pursuant to Joint Rule 218.

Came from the Senate, Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **TAXATION** and ordered printed pursuant to Joint Rule 218.

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

Subsequently, the Bill was **REFERRED** to the Committee on **TAXATION** in concurrence.

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

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**REPORTS OF COMMITTEE**

**Divided Reports**

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-784)** on Bill "An Act To Remove Restrictions on Syringe Service Programs" (EMERGENCY)

(H.P. 1415) (L.D. 1909)

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 Bill.

Signed:

Representatives:

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

**READ.**

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

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

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

The **SPEAKER**: The Chair recognizes the Representative from Chester, Representative Javner.

Representative **JAVNER**: Thank you very much, Mr. Speaker, Men and Women of the House. I agree with the concept of this bill. The program has worked amazingly in the past. We have a one-to-one syringe exchange that works. What is happening here is that cap is being removed. Therefore, people are able to come in and ask for 10 to a 100, however many syringes that they may need, without having the responsibility of bringing in a syringe. Families that are playing in our parks are already experiencing an overwhelming amount of syringes that they are encountering, tourists that are coming to our beaches are experiencing that. Our focus needs to be put on treatment and for the responsibility of a one-to-one exchange. Thank you.

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

Representative **LEMELIN**: Thank you, Mr. Speaker. I also oppose this bill. We should be focusing on helping these people and not helping them further their addiction. The one-for-one program may be working but when we just hand out an unlimited amount of syringes, what we're saying in Maine is that we're happy with the drug problem in Maine. We are giving these people resources to continue their drug addiction. I oppose that and every single person in this room should oppose that. What we should be doing here is striking this bill and moving forward with helping these people quit their addiction and removing the drug problem in Maine. This does the opposite. They're saying well, we're going to try to prevent hepatitis. Hepatitis is a small situation compared to the massive drug problem in Maine. So, I hope everybody is in favor of stopping the drug addiction instead of just handing out syringes like candy. I hope everyone chooses to follow my light. Thank you.

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

Representative **MEYER**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, 2021 was the deadliest in our State's opioid epidemic. This crisis requires a sharper focus on evidence-based harm reduction and treatment. We can and must do better for the people struggling with addiction, for the families who love them and for the communities that care about them. Access to life-saving harm reduction and safe use supplies decrease high-risk injection behaviors and rates of hepatitis B, HIV and other bloodborne infections. There are clear public health benefits to ensuring that people who inject drugs have ready access to safe supplies. Research shows that needle exchange programs are a significant means of collecting used syringes and do not increase the amount of publicly-discarded used syringes. 1909 as amended does not eliminate or establish a cap in Statute. Instead, it simply creates a pathway in rulemaking for the Maine CDC to consider flexibility in the number of syringes the needle exchange programs can provide to their participants.

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

Representative **LEMELIN**: Thank you, Mr. Speaker for extending me the courtesy. I just want to say that if we stop the drug problem in Maine, we have solved all of the

Representative from Eliot's demands. It's that simple. Thank you.

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

Representative **UNDERWOOD**: Thank you, Mr. Speaker. We can help all our drug-addicted people in our State just by closing the southern border. It would prevent a lot of this stuff from happening. Thank you.

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

Representative **PARRY**: Thank you, Mr. Speaker. I've heard a few of the comments here and I, as a lot of people get up and say, that I wasn't planning on speaking but I'm going to speak now. I don't know how giving more needles out without an equal amount coming back is going to help us with our worst year ever on drug overdose. I also know that my 80-year-old mother walks around the block almost every day and the next day she tells me about all the needles she sees when she walks around the block that are discarded on the ground. How will we in good conscience myself pass a bill that puts more needles out and doesn't require the needles to come back? To me, that doesn't make any sense for this Body to do that with all the needles that our kids and grandkids and elderly are seeing all over the ground as they walk around our neighborhoods, around our schools and around our areas. I think this, you know, I understand the reason for, you know, helping with the bloodborne diseases and stuff like that, but we had our worst year ever for overdose and our children are picking up needles off the ground. How is this bill here going to help that? Thank you, Mr. Speaker.

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

Representative **COREY**: Thank you, Mr. Speaker. I didn't plan on speaking today, either. I'm going to be voting in favor of this bill. I had a close family member had hepatitis before they eventually died of a heroin overdose. So, I know that the cost of hepatitis costs us more than syringe programs. I'm pretty sure that, you know, most people that probably have substance use disorder probably aren't figuring out one-to-one exchanges in their heads so that they can go out and get a clean needle. So, I'm going to support the pending legislation. Thank you.

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

Representative **KINNEY**: Thank you, Mr. Speaker. I, too, will be opposing the motion on the floor.

I echo the sentiments from the Representative from Chester and the Representative from Arundel about the requirement for exchange. My daughter has been riding horses since she was about three and a half. The horse arenas where she shows often are littered with used needles. As I said before, my daughter was three and a half when she started riding horses and going to these shows. Small children are being exposed to this litter that needs to be picked up somehow and with the exchange, at least some of those are being turned back in and disposed of properly, so, it keeps our children safe. 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. 461**

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

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Costain, Dolloff, Downes, Ducharme, Faulkingham, Foster, Greenwood, Griffin, Grignon, Haggan, Hall, Hanley, Harrington, Hutchins, Javner, Kinney, Lemelin, Libby, Lyford, Lyman, Martin, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Thorne, Underwood, Wadsworth, White.

ABSENT - Blume, Brennan, Cebra, Cloutier, Dillingham, Drinkwater, Gifford, Head, Kryzak, Mason, McDonald, Millett, Osher, Paulhus, Sharpe, Sylvester, Theriault.

Yes, 77; No, 54; Absent, 17; Vacant, 3; Excused, 0.

77 having voted in the affirmative and 54 voted in the negative, 3 vacancies with 17 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-784)** 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-784)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-782)** on Resolve, To Reestablish and Continue the Work of the Criminal Records Review Committee (H.P. 1351) (L.D. 1818)

Signed:

Senators:

CARNEY of Cumberland  
SANBORN of Cumberland

Representatives:

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

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

Signed:

Senator:

KEIM of Oxford

Representatives:

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

Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-782)** Report.

**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 Hampden, Representative Haggan.

Representative **HAGGAN**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I will be voting no on this bill today. Mr. Speaker, this committee was charged with reviewing the issues involved in sealing and expunging criminal records and exploring options to ensure those who have been convicted of crimes and served their sentences to be able to return to their communities without their convictions holding them back from leading successful, fulfilling lives, while also protecting and advancing public safety. The two major recommendations of that committee to look at a constitutional amendment to address possible limitations on how we in Maine can address the public dissemination of criminal records and to look at and hold public hearings on legislation modeled on LD 1459 require the Judiciary Committee to continue the work started by the Criminal Records Review Committee. This committee wants to help people with criminal records to move forward with their lives without being fettered with the yoke of criminal conviction forever. Maine has no legislation allowing for expungement or sealing of criminal records. Mr. Speaker, I'm for victims' rights or future victims' rights. People should have the right to know if a person has been incarcerated and what they did. People in Maine have for a long time been released from incarceration and gone on to lead productive lives. Thank you very much.

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

Representative **MORIARTY**: Thank you, Mr. Speaker. Good morning, Fellow Members of the House. At about this time last year, we passed a resolution creating the Criminal Records Review Committee but due to the time table in the constitution regarding the effective date of legislation, it wasn't until late October that they could begin to meet and the resolution included an early December report date. They had, in fact, less than two months to tackle this very extensive and complex subject. As I recall and I stand to be corrected if necessary, they were only able to meet five times before the report was due and at that point they went out of existence. They recommended that their existence be continued in yet

another resolution so that they could continue on the path that they had begun. So, that's all this proposal does is to re-create the committee, hopefully with the same memberships with no changes and no learning curves involved and let them use the time available this year to produce a more thorough, comprehensive and hopefully complete report by the projected or the included deadline of December this year. They'll have more time to work, more opportunity to get the job done and produce a better product. 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. 462**

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

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

ABSENT - Bickford, Blume, Brennan, Cebra, Dillingham, Drinkwater, Gifford, Hanley, Head, Kryzak, Martin, Mason, McDonald, Millett, Paulhus, Sharpe, Sylvester, Theriault.

Yes, 76; No, 54; Absent, 18; Vacant, 3; Excused, 0.

76 having voted in the affirmative and 54 voted in the negative, 3 vacancies with 18 being absent, and accordingly the Majority **Ought to Pass as Amended Report** was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-782)** 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-782)** and sent for concurrence.

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Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-785)** on Bill "An Act Regarding Penalties for Early Retirement for Certain Members of the Maine Public Employees Retirement System" (H.P. 393) (L.D. 548)

Signed:

Senators:

DAUGHTRY of Cumberland  
HICKMAN of Kennebec

Representatives:

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

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

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

**READ**

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-785)** 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-785)** and sent for concurrence.

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Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-780)** on Bill "An Act To Amend the Enforcement Provisions of the Law Governing Earned Paid Leave" (EMERGENCY) (H.P. 1356) (L.D. 1823)

Signed:

Senators:

DAUGHTRY of Cumberland  
HICKMAN of Kennebec

Representatives:

SYLVESTER of Portland  
GERE of Kennebunkport  
PEBORTH of Blue Hill  
ROEDER of Bangor  
WARREN of Scarborough

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

Signed:  
Senator: GUERIN of Penobscot

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

**READ.**

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

The Bill was **READ ONCE. Committee Amendment "A" (H-780)** 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-780)** and sent for concurrence.

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Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-781)** on Bill "An Act To Support Restaurants in the State through Service Charge Revenues"

(H.P. 1388) (L.D. 1878)

Signed:  
Senators: DAUGHTRY of Cumberland  
GUERIN of Penobscot  
HICKMAN of Kennebec

Representatives:  
SYLVESTER of Portland  
BRADSTREET of Vassalboro  
CUDDY of Winterport  
GERE of Kennebunkport  
MORRIS of Turner  
PEBWORTH of Blue Hill  
PRESCOTT of Waterboro  
ROEDER of Bangor  
WARREN of Scarborough

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

Signed:  
Representative: DRINKWATER of Milford

**READ.**

On motion of Representative DUNPHY of Old Town, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

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Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-786)** on Bill "An Act To Amend Certain Laws Pertaining to the Maine Public Employees Retirement System"

(H.P. 1430) (L.D. 1922)

Signed:  
Senators: DAUGHTRY of Cumberland  
HICKMAN of Kennebec

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

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

Signed:  
Senator: GUERIN of Penobscot

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

**READ.**

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

The Bill was **READ ONCE. Committee Amendment "A" (H-786)** 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-786)** and sent for concurrence.

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Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-793)** on Bill "An Act To Increase Campaign Finance Transparency and Accountability in Municipal Elections"

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

Signed:  
Senators: BALDACCI of Penobscot  
CLAXTON of Androscoggin

Representatives:  
MATLACK of St. George  
BRYANT of Windham  
COPELAND of Saco  
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. I rise in opposition to this for several reasons. First of all, this is a carveout for Portland and some of our bigger cities and towns and it's masquerading, well, it is supposedly going to bring transparency to local elections. It's going to put the Ethics Commission in the business of policing them, for lack of a better term. Beyond that, towns are going to, these larger cities and towns are going to be folded into the ethics system. This is going to bring a \$1 million price tag which would, in addition to updating the system that we all as candidates use for our races, have to be updated to include local elections currently in a few of the larger cities and towns but as proponents testified during the public hearings and such, the intent was really to go to communities with even smaller communities, such as 15,000 folks. I have a feeling that this is the camel's nose under the tent, so to speak and before long, we will have it everywhere. This is a solution in search of a problem and something that even the ethics folks realize. They were lukewarm to it, at best. They said they would have to add additional staff, hence the \$1 million price tag and I would strongly encourage folks to vote against the pending motion. Thank you, Mr. Speaker.

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

Representative **LOOKNER**: Thank you, Mr. Speaker. So, you know, most Mainers agree that there's too much money coming into our State from national interests to influence our State and local elections. Maine's elections, especially when it comes to local elections, should be about Maine voices and Maine voters, not about who has the deepest pockets for misleading advertising and hiring campaign staff. In this era of unlimited political spending, that principle is at risk of being undermined when that funding from national PACS has reached even our municipal elections to influence voters on ballot questions, city council, selectboard and even school board races. This bill would ensure that Mainers know where their candidates and ballot initiatives receive their funding to run their campaigns. This bill would charge that the State Ethics Commission keep track of municipal campaign finance spending in cities with 30,000 or more residents, that's it, and offer those same services to any

other municipality that wants the help. So, it's voluntary for any other municipality besides cities with more than 30,000 people. City clerks simply do not have the requisite expertise or capacity to adequately keep track of that spending, which in recent years has exceeded hundreds of thousands of dollars in certain races, making these municipal elections some of the most expensive in the State behind gubernatorial and federal races. The city clerks of Maine's largest municipalities have asked for this help and the clerks association was also in support. Opponents of this bill have claimed that the Maine Ethics Commission is going to step in for Maine's three largest municipalities, that it's a slippery slope until all municipalities are covered. That's simply not the case, but we should all be concerned with the uptick in spending from tech companies, commercial developers, utility companies and other PACS that have found its way into our local elections.

Mainers deserve to know who is funding the campaigns for their local elections. This bill is an important step to increasing campaign accountability and transparency across the whole State, so please join me in voting yes on the pending motion.

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

Representative **ANDREWS**: Thank you, Mr. Speaker. I would like to pose a question through the Chair?

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

Representative **ANDREWS**: Will this bill do anything to rein in dark money that's spent in State senate campaigns? I'm just looking for clarification. Thanks.

The **SPEAKER**: The Representative from Paris, Representative Andrews, has posed a question through the Chair to anyone who wishes to answer it. Seeing none, a roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 463**

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

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

ABSENT - Blume, Brennan, Cebra, Dillingham, Drinkwater, Gifford, Hanley, Head, Kryzak, Madigan, Martin, Mason, McDonald, Millett, Paulhus, Sharpe, Sylvester, Theriault.

Yes, 75; No, 55; Absent, 18; Vacant, 3; Excused, 0.

75 having voted in the affirmative and 55 voted in the negative, 3 vacancies with 18 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-793)** 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-793)** and sent for concurrence.

The following item was taken up out of order by unanimous consent:

**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE Pursuant to Public Law Secretary of State**

Representative HARNETT for the **Secretary of State** pursuant to Public Law 2021, chapter 337, section 4 asks leave to report that the accompanying Bill "An Act To Implement the Recommendations of the Secretary of State Regarding Notarial Acts"

(H.P. 1503) (L.D. 2023)

Be **REFERRED** to the Committee on **JUDICIARY** and printed pursuant to Joint Rule 218.

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

Subsequently, the Bill was **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

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

**REPORTS OF COMMITTEE Divided Report**

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-788)** on Bill "An Act Relating to the Valuation of Retail Sales Facilities"

(H.P. 807) (L.D. 1129)

Signed:

Senators:

CHIPMAN of Cumberland  
LIBBY of Androscoggin

Representatives:

TERRY of Gorham  
CARMICHAEL of Greenbush  
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  
STETKIS of Canaan

**READ.**

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

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

Representative **TERRY**: Thank you, Mr. Speaker. This bill is a much-needed tool for municipal assessors to properly assess properties that have been left by large retailers that have either gone out of business or moved to another location. Municipal tax assessors requested this bill and were great at helping in develop this important new assessment tool. Thank you, Mr. Speaker and I request a roll call.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

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

Representative **BICKFORD**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, what this bill does is attempt to solve a litigation issue through legislation. It would trample a taxpayer's ability to challenge certain assessments. This bill automatically favors the municipalities at the expense of the property taxpayer's rights. The amendment to LD 1129 will impact all improved property in Maine, including residential. The valuation of real property is a complex issue that is intricately woven with Maine constitutional mandate that all taxes be apportioned evenly across just value. This legislation deviates substantially from judicial precedent because it prohibits an assessor from being able to consider issues like deed restrictions, easements and encumbrances, potentially including zoning requirements and restrictions when valuing similar properties with no such restrictions. The law court has never addressed the constitutionality of disregarding specific components of property in determining valuation. By excluding deed restrictions from valuation for municipal tax purposes only, this amendment may depart from the universal application of tax value methodology to all properties as required by the constitution. The amendment attempts, but does not succeed to codify judicial precedent from recent law court case. The limiting term improved property narrows the application of three methodologies recently clarified by the law court which did not distinguish between improved and unimproved land. This could raise questions as to the Legislature's intent with respect to unimproved property. The law court did not include economic characteristics in the scope of factors to be considered by an assessor in valuating real property. The addition of economic characteristics calls into question the constitutionality of the proposed amendment language. Assessors should not be receiving special treatment with respect to how certain properties are valued. Other

marketplace participants will not be able to disregard deed restrictions or property encumbrances in valuing the sale or purchase price of a property. Ultimately, this could impact an individual's negotiating power. Assessments are best left to the assessor for determining values of the property, both improved and unimproved. I believe a better option would be to allow municipalities to recoup their litigation costs and if they win their claim this bill does not address that issue at all. Thank you, Mr. Speaker. I urge you to follow my light.

The SPEAKER: The Chair recognizes the Representative from New Gloucester, Representative Arata.

Representative **ARATA**: Thank you, Mr. Speaker. When I'm not here, I also have a job managing retail commercial property. And during the pandemic, some of that property went vacant and is still vacant and therefore, it's not bringing in money that makes the property more valuable. So, could I pose a question to anybody who is willing to answer?

The SPEAKER: The Member may proceed.

Representative **ARATA**: Thank you. Could anybody tell me why a property owner would purposely keep a property vacant when there are willing and able tenant applicants who are qualified?

The SPEAKER: The Representative from New Gloucester, Representative Arata, has posed a question through the Chair to anyone who wishes to answer it. The Chair recognizes the Representative from St. George, Representative Matlack.

Representative **MATLACK**: My apologies, sir and thank you, Mr. Speaker. Mr. Speaker, dark store theory is when newer facilities are compared to older or even closed facilities in an attempt to reduce the tax assessment on the newer facility. When I've explained to folks what dark store theory is, they're appalled. How can an old, decrepit building be any kind of comparison to a new, larger, high-tech facility? And yet big box stores regularly compare these old buildings to new ones in an effort to justify a reduction in their tax assessment. Businesses appeal their assessment by comparing their new facilities to the old facilities and request that their tax assessment be lowered due to the unfavorable comparison. This bill seeks to give municipal assessors the tools they need to push back on dark store theory. In my area, we have a stark example of this problem. For several years, there was a big box store in Rockland. When the corporate owner decided to build a new, bigger store in the next town over, they left the store in Rockland abandoned for several years and then sold the store with restrictions of the size and nature of businesses that could operate there. And for the past four years, the big box store has appealed their assessment and asked for a reduction in taxes based on comparing the new store in Thomaston to the old store in Rockland.

Property owners are allowed to place most any restrictions on the property that they want. This bill does not prevent businesses from doing so. They should not, however, use an old store with restrictions as a comparable property to a new, modern store in appealing their tax bills. Local assessors are at a significant disadvantage when they must defend their assessments against appeals by highly-funded corporate property owners and their well-financed law firms. Their work is further complicated when big box stores use dark store theory to justify their appeals. This bill, which was developed

with the assistance of Maine assessors, will give assessors additional support when their assessments are challenged.

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

Representative **DOLLOFF**: Thank you, Mr. Speaker. I was listening to the reasons why this bill is needed but I'm going to keep it very simple. I don't believe this should be done here. This kind of issues that they are addressing should be handled by the municipalities themselves. Thank you.

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

Representative **HUTCHINS**: Thank you, Mr. Speaker, ladies and gentlemen. I am opposed to this motion on the floor for the same reasons that the good Rep just talked about about local control.

A recent situation that happened in a neighboring town of mine, a company just last Friday went out of business, not because they didn't have work to do but because of circumstances beyond their control. In this particular case, they couldn't get aluminum until November and they weld aluminum docks and these people are going to lose their business because of that and the local assessors are going to have to deal with that at some point in time and something we do here today is going to be hard-pressed to understand that particular individual's problem. And one of the things that makes it particularly galling is these people had set up their shop for disabled people to be welders. Almost all of their welders are disabled veterans. And so, they made everything in the shop work with electric hoists and able to do the welding from a wheelchair. What great people to go through all that trouble and they probably are going to end up losing their business because, like I say, the next shipment of aluminum they can get is November and they have orders for two years but it makes no difference. But one of the other problems they're going to have is this assessment problem and we here in this room, you know, can't address each one of these specific issues well enough; it should be left to local control. Thank you very much.

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

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

The SPEAKER: The Member may proceed.

Representative **BICKFORD**: My question is how would this affect affordable housing valuations? Because they won't be able to consider certain deed restrictions and the values may be different because of the amount of rent they charge or the amount of rent they're able to recoup.

The SPEAKER: The Representative from Auburn, Representative Bickford, has posed a question through the Chair to anyone who wishes to answer it. The Chair recognizes the Representative from Gorham, Representative Terry.

Representative **TERRY**: Thank you, Mr. Speaker. I just want to answer a couple, well, one answer to a number of questions having to do with local control. Currently, tax assessors have a list of criteria that are in Statute that they need to use in order to assess a property. They do not have this tool currently. The reason that they ask for it is because they need it in order to be able to assess these properties properly. 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. 464**

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

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

ABSENT - Blume, Brennan, Cebra, Dillingham, Drinkwater, Gifford, Head, Kryzak, Martin, Mason, McDonald, Millett, Paulhus, Sharpe, Sylvester, Theriault.

Yes, 77; No, 55; Absent, 16; Vacant, 3; Excused, 0.

77 having voted in the affirmative and 55 voted in the negative, 3 vacancies with 16 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-788)** 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-788)** and sent for concurrence.

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**SENATE PAPERS**

The following Joint Order: (S.P. 734)

**ORDERED**, the House concurring, that the Joint Standing Committee on Transportation may report out, to the Senate, a bill related to recommendations from the motor vehicle inspection working group organized by the Department of Public Safety.

Came from the Senate, **READ** and **PASSED**. **READ** and **PASSED** in concurrence.

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

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**REPORTS OF COMMITTEE**

**Divided Reports**

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-789)** on Bill "An Act To Increase Affordable Housing and Reduce Property Taxes through an Impact Fee on Vacant Residences"

(H.P. 988) (L.D. 1337)

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  
STETKIS of Canaan

**READ.**

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

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

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

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

Representative **BICKFORD**: Mr. Speaker, Ladies and Gentlemen of the House, I went to a public hearing on this, through Zoom, obviously, and found it to be a class in socialism; Socialism 101, I'm going to call it. Where the people in Maine that have worked all their lives really hard to prosper and do well and they may buy a piece of property in North Carolina, South Carolina, Florida. They may reside there from October 30th till April 29th. Come home and they may take a week's vacation in July and go somewhere up north or to another State in New England. All of a sudden, because of that, their home is unoccupied for more than 180 days cumulatively, which makes them on the stick for this kind of fee. This is incredible. I can't believe we're even talking about this. Please follow my vote and vote no on this motion.

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

Representative **HANLEY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise also in opposition to the pending motion. This is truly a socialistic principle and idea. And keep in mind that even the amended version of this says that a town may or may not enact this type

of ordinance, but it also says they can impose a fee but there's no restriction on the fee. Will the fee be at 5% of the value? 50%? 100%? Keep in mind also that 60% of the homes, the secondary homes in this State are owned by people that live in this State, residents of this State. You're going to be double-taxing someone that already pays fully their taxes. And what's next? What's next in the pipeline of this socialistic idea? I have two cars. So, I don't need two cars, I'll admit, I'm just a greedy capitalist. I have two cars. My wife and I don't need them. We could easily live without the other vehicle. So, now will the town be able to impose a fee on my second car? Another excise tax? Will that come next? And then that fee will be put into a fund that will help someone who can't afford a car or would like a better one? What happens? Where are we going with this? I urge you, I beg you, follow my light and defeat this motion. Thank you.

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

Representative **STETKIS**: Thank you, Mr. Speaker. I was shocked when I sat through the work session on this and learned about this bill and right off the bat, I thought probably we ought to change the title to this as an act to impose a tax on snow birds. Mr. Speaker, it's no secret that Maine is already one of the highest taxed and most regulated states in the country. It's also a fact Mainers have been leaving our State for greener pastures for quite a few decades now. Mr. Speaker, just look at what's going on in our State at this very moment, with skyrocketing inflation, skyrocketing electric prices, gas is over \$4 a gallon, diesel and heating fuel is over \$5 a gallon and how about the sticker shock that all of our constituents are realizing at the grocery store? This is no time to be increasing any type of tax, even if it's referred to as a so-called fee. Not only is this bad timing, but the vast majority of the people who this new tax will be imposed on are likely to not even be voting residents of that community and in that case would have absolutely no voice in the democratic process on whether their taxes are going to be increased or not. Mr. Speaker, we need to vote down this motion and be done with more increased taxes. 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. This is a ludicrous bill. I heard from everyone from camp owners, town managers, town clerks, real estate agents, municipal representatives asking me to stand and oppose this bill. I'm a camp owner, being fully transparent. I have a camp on a small pond in Abbott Village, where many local residents used to have camps because it was the place they could afford the property taxes of \$50 or \$70 a year on a camp lot, spent a few hundred dollars or grab some scrap materials, put up a shanty and have a place to take their kids and their grandkids. That small pond and those folks couldn't afford a camp or a lot on, say, Moosehead Lake or Sebec Lake because prices were too high. They worked hard all their lives, some of them even spend time in Florida in the winter. But those folks, that pond now is mainly a place where the out-of-state folks have properties. The locals got driven out because of the high cost as properties were sold and the valuations went up, the high cost of property taxes drove many people to sell their properties. There are a few of

us natives that are still left there and because we are able to afford the higher taxes.

Now, I'll give you an example of how crazy this bill is. I have a camp and the bill doesn't necessarily give good guidance on what someone might consider to be a year-round residence but I have a camp and it has a plowed road by it in the winter because I have one neighbor who relocated there from New Jersey and lives there year-round. At one point a few years ago, I counted 13 year-round residents on that camp road from almost all from out of State. I have another camp on the other side of me that was a year-round resident for a camp owner from Connecticut and is now owned by another gentleman from Connecticut who uses it part-time. Those three camps, mine, which I do not consider to be a year-round residence, I have no running water in the winter, I don't have anything but wood heat, but some might say otherwise because I know a lot of people that live that way year-round, anyway, in their residence. My camp, the two camps beside me, I pay within a couple hundred dollars property tax to each of them. Now, what this bill would do, if the town should so decide and, besides, I don't live in that town, so, I don't have any representation as far as my taxes go, I pay whatever the town tells me to pay, but in this case I or my neighbor from Connecticut who's only there part-time may be forced to pay this additional property tax, stipend, whatever you want to call it, to our current taxes. Currently, the person from that retired there from New Jersey who pays within \$100 or \$200 of the taxes that we do would not have to pay it because they are year-round. This is crazy.

I stand opposed to this bill and I hope you'll follow my light. This is not the way to go about providing so-called affordable housing to the people that need it. Thank you.

The SPEAKER: The Chair recognizes the Representative from Kennebunkport, Representative Gere.

Representative **GERE**: Thank you, Mr. Speaker. Colleagues of the House and Mr. Speaker, this bill, which creates a municipal choice, is not for every community in Maine. One of the kinds of communities it can help is communities in transition. In transition from being vibrant Maine communities of local families and people of all ages to a situation where more and more homes are being bought by investors who do not live in them. A case in point is my town, in which the number of vacant homes has increased from about 30% 15 years ago to 60% in 2019. Where enrollment in our local elementary school has fallen from 240 students to 130 in 2019. A constituent called me in the fall to alert me to her residential neighborhood of 20 homes that used to be filled with families and people of all ages. Nine of those homes are now owned by long-distance investors and are left empty and Airbnb'd during most of the year. Neighborhoods are going dark. As the number of available homes for regular people decreases, the prices continue to climb, leaving public safety workers, teachers, restaurant workers, etcetera, unable to afford to live in our town, furthering the hollowing out and damaging the fundamental nature of our community. There is a community cost to vacancies. LD 1337 enables municipalities that choose to enact a fee on vacant homes to reflect and address this cost. The proceeds of that fee would then be used to address the need for affordable, attainable housing for the people we need to keep our communities



vibrant, viable and real. I emphasize that LD 1337 creates a choice for municipalities. It mandates nothing. MMA supports it; the Maine Municipal Association supports it. If you don't like it, don't use it. But I urge the Members of this Body to join me in voting for LD 1337 to put this tool into municipalities' toolbox. Thank you.

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.

With due respect to the previous speaker, this bill is not good for any community in the State of Maine. My family has a camp in Upton, Maine. My father works as a contractor five days a week and I remember as a child riding up there, driving the hour and a half so he could spend the weekend working to build that camp so we could create memories there as a family and many families and I would suggest that's what happens with many families in this State. This bill is a camp tax. It is a tax on families, it is a tax on families making memories. Most of the camps; most of the second homes in the State of Maine are owned by Mainers, three out of four. At a time when our State has been getting record revenues, both with a \$1.2 billion surplus as well as with monies coming in from the federal government and many of those monies already going into these communities, this bill sends us in the wrong direction. It sends the wrong message to Mainers that want to build camps and want to build family camps for their children so that they can make those memories as well. We've heard about an impact fee on these communities with these vacant properties. I would ask what is that impact? If there are no kids going to the schools, if it's sitting there vacant, they're not using any of the municipality's services, but they're paying their taxes, then what is the extra impact that they are having on these municipalities? I would argue there isn't one. This bill would allow municipality to add an additional tax on these family camps with no limit as to how much they can charge. There is no limit brought forward in the bill, a municipality could go as high as they chose to go for purposes that may not necessarily, I understand in the bill it says for affordable housing, but how are they going to define affordable housing and how are they going to define how that money is being used for that purpose? The bill is just not clear. And I would just close by saying with three out of four second homes owned by Mainers, this bill will negatively impact Maine families. Let's not tax family camps, let's not tax families, let's not tax people trying to make memories and leave something for their children. Thank you.

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

Representative **BLIER**: Thank you, Mr. Speaker. I'm happy to be here today. It's the first time I'm able to rise where you and I can both agree that this bill will do nothing to create affordable housing. The State of Maine got \$236 million a year and a half ago to help with affordable housing but yet we still have unaffordable housing. Years ago, transfer tax was placed on the sale of properties to help with affordable housing and we still have unaffordable housing. A woman called me this week and she said you know, we bought a camp years ago. We went up there, 25 years ago and they went up there over weekends, put a foundation underneath it over time and

created memories there. Now you're going to force her to pay a penalty for all the years of labor that she put on this piece of property. Is that really what we're trying to do here? You know, we talk a lot about camps, but it also can be oceanfront properties. Most of our communities, 60% of the taxes that we've paid go to schools. These people that live in these properties for six months and the other six months it's vacant, they don't produce trash, they don't use your services; EMS, police, they don't put kids within your school systems. But yet, they're saving you tax dollars but yet you want to apply another tax to help with affordable housing.

The previous speaker from Kennebunk stated that this was an opt-in. Well, we got a letter from the sponsor from the City of South Portland that has already a resolution. They've already opted in. And this is what the City of South Portland, the residents of South Portland, this is what your community leaders have opted in to. They're going to tax your residents, the ones that are using these properties only six months out of the year, it's going to go to the State of Maine. The State of Maine, the South Portland community is going to pay for the State of Maine to administer this program because they're the only community that's opted in thus far. And the money that's left over after administering the program, half of it is going to go to affordable housing and the other half is going to go to the Homestead Exemption. Now, the affordable housing may not be in your community and the Homestead Exemption is going to be for the whole State. Your leaders of South Portland have admitted to doing to this program that will do nothing to help your community or affordable housing. So, here's the question I have for you today that I'm curious about. Is it the lawmakers that make affordable housing or is it the people that open their wallets that create affordable housing? I want to make a pledge today. I pledge that I'm willing to donate the \$10,000 that I made this year as a legislator, as long as the co-sponsors and the sponsors of this bill join me to help with affordable housing. Let's put our money where our mouth is and let us lead for affordable housing. Defeat this motion. Thank you.

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

Representative **PARRY**: Thank you, Mr. Speaker. Mr. Speaker, I think the idea of this bill was to go after the Airbnbs and I know in a lot of communities that's becoming an issue. I think the unintended consequences of this bill could be the forcing of Mainers to sell their second home that might've been in their family for years to some of those people that we're going after. And the wealthy people from New York or from wherever, Massachusetts, Connecticut, wherever they're moving in from, who have bought the homes that my good friend from Kennebunkport mentioned. Because they're the ones that can afford to buy those homes and they come up here for two months, three months, four months a year, or whatever it might be, in some cases two or three weeks. But like my good friend from Turner said, those people that come up here and buy these multimillion-dollar homes that sit vacant, those aren't going to be homes used for affordable housing. And also like my good friend said from Turner, those people are paying 60, 70, 80% in my town goes to education, goes to the schools. Not one of their children goes to the schools. They use virtually no services. So, we're collecting property

tax on all those properties from wealthy out-of-state people and these wealthy out-of-state people aren't going to care if you add a percent to them, but what it's going to do, it's going to force Mainers and I've lived here my whole life and it's going to force Mainers out of their second homes that probably have been in their families for generations. That's the unintended consequences of this bill and I really hope that we all think about that. If we want to go after Airbnbs, then let's go after Airbnbs. If we want to go after some of these issues, let's do it the right way. I believe this bill right here, if we pass this today, you're going to force Mainers, lifelong Mainers out of their homes that their families have had their entire life. 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. May I pose a question?

The SPEAKER: The Member may proceed.

Representative **ORDWAY**: I understand that the bill spells out municipalities may opt in. What effect would this have on the unorganized territories in the State of Maine? What would stop the State from stepping in and imposing this on unorganized territories?

The SPEAKER: The Representative from Standish, Representative Ordway, has posed a question through the Chair to anyone who wishes to answer it. The Chair recognizes the Representative from South Portland, Representative Kessler.

Representative **KESSLER**: Thank you, Mr. Speaker. In terms of a State entity implementing this type of fee, if they have the ability to pass similar laws like an ordinance, that is their determination, if they choose to and the people of those unorganized territories, if they choose to lobby to have that instituted, then so be it. But if the members of those communities do not want such a law, then they do not have to.

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

Representative **SKOLFIELD**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I live in a small town of approximately 400 or so good souls who live there. We have the good fortune to have a lake, Webb Lake. Webb Lake, for the most part, the property owners around that lake are from towns surrounding Weld; Rumford, Livermore, Jay and also in southern Maine. And the good folks who own those properties and come to our lovely town and our great lake pay their taxes in their towns and they pay a substantial amount of taxes in our town. And they don't require services, they don't have their roads plowed, they are supporting our municipality by a large measure. And while I understand the need, I agree with my good friend from Arundel, Representative Parry, that we should defeat this bill. Thank you. Follow my light.

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

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

The SPEAKER: The Member may proceed.

Representative **KINNEY**: Thank you. I have a constituent with a concern. They're a year-round Maine resident, they own a second home that is not rented out, it's theirs and theirs only and they use it, some years, it's used

quite often and others less often. It's well-maintained, they pay their high property taxes, their very high property taxes and wondering if this is going to be considered a vacant residential property and, if so, how are the municipalities going to make this designation? Will they be camping out to make sure the private property is vacant?

The SPEAKER: The Representative from Knox, Representative Kinney, has posed a question through the Chair to anyone who wishes to answer it. The Chair recognizes the Representative from South Portland, Representative Kessler.

Representative **KESSLER**: Thank you, Mr. Speaker. The language in the amended version of the bill defines a residential property as a structure or portion of a structure located in the municipality that is designed for year-round habitation. The property is vacant if it's not occupied by a permanent resident and the permanent resident definition is the same definition used for the Homestead Exemption. So, if there is a permanent resident listed as living at that address, then it would be exempt. May I ask that Member to repeat that second question?

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

Representative **KINNEY**: Thank you, Mr. Speaker. My question was; how are we going to make the designation and will they be camping out to make sure the private property is vacant?

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

Representative **KESSLER**: Thank you, Mr. Speaker. Enforcement of any municipal ordinance will be up to that municipality to determine. In other locations in the world where this occurs, there is a voluntary declaration, much like on our taxes, we very much operate on the honor system. If a municipality chooses to audit their information that they have, then they can do that but that is completely left up to the municipality as to how they wish to do so.

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

Representative **TEPLER**: Thank you, Mr. Speaker. Mr. Speaker, I want to be very clear that I will discourage my community from adopting this policy. That said, I will not stand in the way of any community that does wish to opt in to this policy who believes that this is the right fit for their community. And I think that that decision should be left to people locally. I don't think it's the right fit for my community but I believe that there are communities who do think it's a good fit for them. So, thank you, Mr. Speaker and I will be supporting the bill.

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

Representative **MARTIN**: Thank you, Mr. Speaker. Mr. Speaker, earlier a previous speaker asked a question regarding the unorganized territory and the process. My question would be to any member of the Taxation Committee, if I may, the following question.

The SPEAKER: The Member may proceed.

Representative **MARTIN**: Thank you, Mr. Speaker. Mr. Speaker, in the unorganized territory, folks don't have a town meeting form of government nor a town council. It's commonly known that the county commissioners, although, provide

municipal type services for the unorganized territory. However, the Maine Revenue Service assesses the taxes and the taxes are therefore collected by the State. My question to any Member that may proceed or may answer or member of the Taxation Committee is is that incorporated in the bill because we all heard that municipalities have a local option and they can or they cannot if they so desire proceed with this so-called fee. So, again, what option does the Maine Revenue Service have and that would be my question because, quite frankly, I have read the bill and I, quite frankly, don't think that that's incorporated in the piece of legislation. Thank you, Mr. Speaker.

The SPEAKER: The Representative from Sinclair, Representative Martin, has posed a question through the Chair to anyone who wishes to answer it. The Chair recognizes the Representative from Canaan, Representative Stetkis.

Representative **STETKIS**: Thank you, Mr. Speaker. You know, I was really sad to hear that, you know, in the town of Kennebunk that, you know, there's shrinking numbers of school children and that there's fewer homes that are lived in full-time and that neighborhoods are going dark. Let me tell you, rural Maine, we feel your pain. This has been happening to us for decades. And this isn't happening to us because of Airbnb or wealthy people renting properties or landlords or any of those sorts of things. What's been happening to us is precisely these types of policies coming out of Augusta dissuading families and businesses to come to Maine. When these people look for a new place to move to, they look at the overburdensome regulations and the laws and the taxes. It's these policies. Yes, this is an opt-in for individual towns but people look at this. And, again, I'm sorry that your school numbers are shrinking and there's less people living in your neighborhoods and they're going dark, but we have to stop this madness. One size does not fit all, we cannot keep promoting these types of policies.

The SPEAKER: The Chair recognizes the Representative from Guilford, Representative Stearns.

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

The SPEAKER: The Member may proceed.

Representative **STEARNS**: Is there anything statutorily that is preventing a local municipality from just imposing this tax on their own at this time?

The SPEAKER: The Representative from Guilford, Representative Stearns, has posed a question through the Chair to anyone who wishes to answer it. The Chair recognizes the Representative from South Portland, Representative Kessler.

Representative **KESSLER**: Thank you, Mr. Speaker. This is in area of law that is gray and an example of this is in Title 30-A, there is a section that deals with impact fees and the Legislature, a previous Legislature needed to put that into law and clarify a municipality's home rule authority because there was a lack of clarity in the law. The City of Portland actually pursued this a few years ago and their corporation council was uncertain as to how the law read. Also uncertain as to the constitutionality of implementing such a fee. This bill provides the clarity and also provides the guardrails as to how that money could be used because if you were to tax a property and then use it for just general fund, that would be

unconstitutional. But if you're using the revenues from those fees to address the issue, that is not.

The SPEAKER: Reminder from the Chair that when a Member poses a question through the Chair, the Member that chooses to respond to the question, it does not count against them that they've stood to respond or speak multiple times. So, just for clarity, I think some folks may have been wondering why the Representative from South Portland was able to speak so far four times but all four times were in response to Members' posed questions.

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

Representative **ANDREWS**: Thank you, Mr. Speaker. I've heard a lot of talk about camps today. I don't own a camp. In fact, my 5-year-old daughter is the first first-generation Mainer in our family, nobody else. But I've been here long enough to know that the family camp is part of what makes Maine, Maine. We must protect that. We can't be taxing family camps out of existence and into the hands of rich out-of-staters. Please vote down this motion today. Thank you.

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

Representative **PARRY**: Thank you, Mr. Speaker. Sorry for raising a second time. I just want to clarify something that my good friend from South Portland said in an answer to the Representative from Knox's question and mentioning about her constituent and their second home. You can only have Homestead on one home. You are only a resident in one town. So, a long-term Mainer that's had a camp or a second home in Maine for a hundred years, yes, can be taxed the extra on that second home. Thank you.

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

Representative **TERRY**: Thank you, Mr. Speaker. I just wanted to rise to answer the question from the Representative from Sinclair about unorganized territories. The county commissioners are the ones who develop the ordinances, so the county commissioners would be the ones to put this impact fee in place if they so desire.

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

Representative **MORALES**: Thank you, Mr. Speaker. Mr. Speaker, I think we can all agree the local government is the innovation of democracy. The Housing and Homelessness Caucus has debated this bill and we support the bill because we are in a homelessness and a housing crisis and we believe that we need municipalities to have all the tools possible to be able to address the needs in their community if they so choose. We appreciate that and the municipal association also agrees with this and the reason why is what this homelessness crisis means to the State of Maine today. Fifty-eight percent of Maine people, Mr. Speaker, today, in Maine, statewide, cannot afford to rent or buy a median-priced rental unit or home. That's statewide. 27,000 households, Mr. Speaker, statewide, are on a waiting list for housing assistance and housing vouchers. Statewide, we have approximately 6,000 people who are experiencing homelessness, which doesn't count the 12,000 people in motels and hotels and overflows from the shelters in Cumberland County and 270 people in York County in the same situation. When you talk to any broker statewide

of a rental unit, residential rental unit, they will tell you they are receiving so many applicants, sometimes 20 to 40 applications for every rental unit. We simply do not have the places for people to live in Maine and that's why we support this bill. I support this bill. In order to give municipalities the tools to address this crisis as their communities need them to. Thank you, Mr. Speaker.

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

Representative **KESSLER**: Thank you, Mr. Speaker. I would like to remind the Body about the oath that we took to the Constitution of the State of Maine. The preamble says; We the people of Maine, in order to establish justice, ensure tranquility, provide for our mutual defense and promote our common welfare. In Section one under Natural Rights; All people are born equally free and independent and have certain natural, inherent and unalienable rights, among which are those of enjoying and defending life liberty, acquiring, possessing and protecting property. Let me repeat that; acquiring, possessing and protecting property. Mr. Speaker, the latest data from Maine Housing shows us that the majority of Maine families can no longer afford to live here. They can no longer afford the median price for a home and they cannot afford the median price for rent. When we think about the common welfare, we need to be thinking about all Mainers, not just those who have the fortune to have additional property in the midst of a housing crisis. It's important to recognize that the State of Maine has the largest percentage of vacant homes in the country. That's nearly 20% of the residential buildings in the State are vacant. And as of last year, it was close to 30% of those homes were being purchased by out-of-state buyers. I need to take a moment to just address some of the comments that were made, particularly as it comes to camps, okay? The definition of the bill says if it's designed for permanent or if it is designed for year-round habitation. So, in the example from the Representative from Dexter's camp that doesn't have running water, just a woodstove, that would not apply. It would also not apply because it would likely not pass the Dexter select board. This is meant for municipalities in this State who are ground zero in this housing crisis that we have. I need to remind the Body, I hope that you checked your emails, that the cities of Portland and South Portland are asking you to help move this forward because we need every tool to help address the affordable housing crisis and the goal of this bill is to take units that are currently not occupied by permanent residents, get them on the market, increase supply and, at the same time, be able to help assist municipalities in raising funds for affording housing or making housing more affordable for the people that already live there.

People have their own philosophical beliefs that they're going to hold true to, but I need to remind you all that as much as you may or may not like the concept, it's not about that; it is about providing clarity in the law. So, my city, the City of Portland and any other city that is struggling with housing can help address this need. Because even though we've been flush with cash, it can cost \$250 to \$3,000 just to build one unit of housing. We're going to just be making a dent and we are going to be playing catch-up for years. So, please follow my light, please vote in favor of the motion.

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

Representative **BERRY**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, I will be voting in favor of the pending motion and, like the Representative from Topsham, advising my own communities, not that they will need it, not to utilize this new provision of Statute if it does pass. This is clearly a solution for other communities than mine. But the question before us fundamentally, Mr. Speaker, is whether we trust our own communities to self-govern. And I do trust the three communities that I represent to make the right decisions. The question is whether we believe in the principle embedded in our constitution of home rule and wish to clarify that the Statute allows for that in this instance. Mr. Speaker, in the Utilities Committee, we're well aware of what happens when use of utilities; gas, electric, water and sewer, are underutilized. It results in higher rates for all of us. All of us, I think, are well aware that when property values go up, low- and moderate-income people are priced out of communities. And I, for one, will be supporting this bill because it is clearly a solution for certain communities, primarily in southern and coastal Maine and I trust them to make the right decisions for themselves. Mr. Speaker, I have a question I'd like to pose through the Chair to anyone wishing to answer.

The SPEAKER: The Member may proceed.

Representative **BERRY**: My question is this and it's especially for members of the Taxation Committee. Have there been any rural towns in Maine that have come to you asking for support for this bill because they wish to tax camps? Thank you.

The SPEAKER: The Representative from Bowdoinham, Representative Berry, has posed a question through the Chair to anyone who wishes to answer it. The Chair recognizes the Representative from Gorham, Representative Terry.

Representative **TERRY**: Thank you, Mr. Speaker. Mr. Speaker, the answer to the Representative from Bowdoinham is no; no towns that are primarily camp towns have asked for 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, the Legislature may not surrender the power of taxation. So, what do we do to get around it? Let's call it a fee. It's still a tax, Mr. Speaker and it's still unfair to all of our population in this State that wants their own property rights. Let them have their rights. Let them live where they like to live and own the properties they want to own. Thank you.

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

Representative **GRAMLICH**: Thank you, Mr. Speaker. Mr. Speaker, we are all painfully aware of the housing crisis which impacts so many here in Maine. I know in my community alone we currently have 20 families who are housed in hotels, all of whom will be unhoused by the end of April when tourism season starts. We have numerous seasonal residences which remain vacant for nine months of the year. Like the Good Representative from Topsham said,

I'm not saying that we should or should not implement this initiative. However, what this bill would do is offer the municipality the option to decide if they want to implement an impact fee in the amount of such a fee. I want to underscore the local option component of this proposed legislation, which speaks to local control that we hear so often spoken about within this chamber. I know the resident from South Portland has done an enormous amount of work on this particular piece of legislation. This legislation appeared before the committee on which I serve and I saw firsthand the work that the Good Representative embarked upon. He engaged with stakeholders, he had numerous conversations with many vested parties who would be impacted by this legislation. He was able to come to agreement with the Maine Municipal Association, who is in full support --

The SPEAKER: The Member will defer. The Chair would remind Members to not speak for other Members and what they did or what they have said or what they've agreed to with other parties.

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

The SPEAKER: The Member may proceed.

Representative **GRAMLICH**: Thank you, Mr. Speaker. I saw firsthand the outcome of the work that the bill sponsor did on this particular piece of legislation, which brought the Maine Municipal Association to the table and who ended up supporting the amended components of this legislation. I'm not saying again whether my community would or should support this, but I would like them to have the option to explore it, which is why I will be supporting this particular bill, Mr. Speaker, so that we can give our municipalities the option to implement this initiative if they so choose. Thank you, Mr. Speaker.

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

Representative **COREY**: Thank you, Mr. Speaker. So, we got a constitutional reading today and I'd like to read another section of Maine's constitution. Article IX, Section eight on Taxation reads; All taxes upon real or personal estate, assessed by authority of this State, shall be apportioned and assessed equally according to the just value thereof. This bill would assess some properties above the assessed value, possibly making it unconstitutional. There are other answers to addressing the unaffordable housing in the State of Maine. Thank you, Mr. Speaker.

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

Representative **KINNEY**: Thank you, Mr. Speaker. May I pose a couple of questions?

The SPEAKER: The Member may proceed.

Representative **KINNEY**: Thank you. This one I'd like to pose to the Chair. Would this be considered a local option tax? And the second question I have would be to anyone who wishes to answer, is whether or not the City of Portland has any truly affordable housing at this time.

The SPEAKER: The Chair would inform the Member that it's not within the jurisdiction of the Chair to determine what this bill is and what this bill is not. The Representative from Knox, Representative Kinney, has posed a question through the

Chair to anyone who wishes to answer it. The Chair recognizes the Representative from Arundel, Representative Parry.

Representative **PARRY**: Thank you, Mr. Speaker. To answer the Good Representative from Knox's second question about affordable housing in Portland, quick story. My parents bought a house in Windham in 1966 because they couldn't afford to live in Portland. Portland has never had true affordable housing. There has been small sections of subsidized housing but as far as Portland goes, as far back as 1966, it has not been affordable to small families. Thank you.

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

Representative **TERRY**: Thank you, Mr. Speaker. Just to answer the question of the local option tax; this is not a local option tax, this is an impact fee. We do have other impact fees that municipalities impose on their municipalities, on their citizens, sorry.

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

Representative **MORRIS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just wanted to respond to a couple points that were made. My family camp does have running water, it can be used seemingly year-round, even though it is in a very rural area. In fact, we have used it in the winters as well with the wood heat. So, it's not clear what they're defining as a year-round residence. It's simply not clear in this bill. It's whatever the municipality, it would seem to be whatever the municipality wants to determine it to be a year-round residence. And I would also just like to point out that the camp that is owned by my family is owned by my mother and father, my aunt and uncle and my grandparents also had a stake in it. It was the result of hard work and sacrifice to buy and build that camp, not fortune. 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. 465**

YEA - Arford, Babbidge, Bell, Berry, Brooks, Caiazza, Cardone, Cloutier, Collings, Copeland, Craven, Crockett, Cuddy, Dodge, Doudera, Dunphy, Evans, Geiger, Gere, Gramlich, Grohoski, Harnett, Hymanson, Kessler, Lookner, Madigan, Martin, Mathieson, Matlack, McCreia, McCreight, Melaragno, Morales, O'Neil, Osher, Pebworth, Perry, Reckitt, Rielly, Roeder, Sachs, Salisbury, Sheehan, Supica, Talbot Ross, Tepler, Terry, Tucker, Warren C, Warren S, Williams, Wood, Zager.

NAY - Alley, Andrews, Arata, Austin, Bernard, Bickford, Blier, Boyle, Bradstreet, Bryant, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Crafts, Dolloff, Downes, Ducharme, Evangelos, Faulkingham, Fay, Foster, Greenwood, Griffin, Grignon, Haggan, Hall, Hanley, Harrington, Hasenfus, Hepler, Hutchins, Javner, Kinney, Landry, Lemelin, Libby, Lyford, Lyman, Martin, Millett, Moriarty, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Parry, Perkins, Perry, Pickett, Pierce, Pluecker, Poirier, Prescott, Quint, Riseman, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Stover, Thorne, Tuell, Underwood, Wadsworth, White B, White D, Zeigler, Mr. Speaker.

ABSENT - Blume, Brennan, Cebra, Dillingham, Drinkwater, Gifford, Head, Kryzak, LaRochelle, Martin, Mason, McDonald, Meyer, Millett, Paulhus, Roberts, Sharpe, Sylvester, Theriault.

Yes, 53; No, 76; Absent, 19; Vacant, 3; Excused, 0.

53 having voted in the affirmative and 76 voted in the negative, 3 vacancies with 19 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.

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Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-791)** on Bill "An Act To Protect Election Integrity by Regulating Possession of Ballots and Voting Machines and Devices"

(H.P. 1330) (L.D. 1779)

Signed:

Senators:

HICKMAN of Kennebec  
MIRAMANT of Knox

Representatives:

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

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

Signed:

Senator:

FARRIN of Somerset

Representatives:

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

**READ.**

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

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

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

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Rielly.

Representative **RIELLY**: LD 1779. This is a very pragmatic bill. Even though we have not seen a case of ballot tampering, we cannot wait until it is too late to act. This bill is a proactive step we can take right now to maintain the security of our ballots. We have seen how the electoral process has come under attack in the past and will likely continue to be tested and we must remain vigilant. This bill is grounded in the obligation we all share as elected officials; to uphold the Constitution, which includes ensuring our elections remain fair

and free from bad actors, whether foreign or domestic. LD 1779 empowers our election administrators, who are the experts, to retain oversight of every single ballot, voting machine and electronic tabulator in order to ensure that our State continues to administer legitimate and safe elections that all eligible Mainers can trust. If you support the democratic process, you support this bill. Thank you.

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

Representative **KINNEY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This bill came before us as an idea that we have a problem in the State of Maine with our chain of custody. We have chain of custody laws on the books, they already exist and what this will do instead of having the chain of custody that we have in place, it will put all of the chain of custody directly to the Secretary of State. And for that reason and that reason alone; I'm not comfortable with putting it into one department and it's not even the department, it is the language actually states the Secretary of State, not the Department of the Secretary of State and therefore, I hope that you will follow my light and vote this measure down. Thank you.

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

Representative **UNDERWOOD**: Thank you, Mr. Speaker. This is centralization of our election, municipal elections, to the hands of the State and that's not a good sign for our democracy. And I'm going to vote no on this particular bill, too, also. So, allow the municipalities to be able to regulate the vote in the way they see fit and they know the voters better than the Secretary of State does. Thank you, Mr. Speaker.

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

Representative **ANDREWS**: Thank you, Mr. Speaker. If the Secretary of State was directly elected by the people, this could be a good and pragmatic bill, as the Good Representative said. They are not, though; they are installed by the majority of the Legislature. And that's a large reason why I'll be voting no today. Thank you.

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

Representative **McCREIGHT**: Thank you, Mr. Speaker. This common sense bill is about election security. We need to maintain our confidence in elections. Unfortunately, we're living in an era of distrust. LD 1779 makes clear the chain of custody of ballots and ballot equipment and, very importantly, it also ensures that anyone who intends to interfere with security will not be able to. The bill has the full support of the Municipal Clerk's Association who supervise our elections and who spoke to the importance of the measures this bill provides. Thanks to this bill, we can be confident in the security and privacy of our votes and our election process. 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. As the Good Representative just spoke, if the constitutional officers were elected officers, this particular piece of legislation might make more sense. But we need to remember that this is a State that 35 years ago or so the ballots on a number of recall elections

that were held in the Secretary of State's office, where these are supposed to be taken now for private keeping and safekeeping, was the very place that they were tampered with and we sent a fellow to prison for doing it. Thank you.

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

Representative **PARRY**: Thank you, Mr. Speaker. I think currently the State Police has the chain of custody for ballots on transport or anything that needs to be done and I am very confident in our State Police that they can continue with that task. So, I believe that we should keep that chain of custody with the State Police.

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

Representative **COREY**: Thank you, Mr. Speaker, Men and Women of the House. This is a bill in response to an incident that happened in Colorado, not here. Maine's chain of custody laws were essentially, you know, implemented after an incident that occurred in the '90s when the majority legislative staffers manipulated ballots stored by the Secretary of State. This bill is duplicative and unnecessary, if you read current law. It does not enhance ballot security, it's a false sense of security. Please vote against the pending motion. Thank you.

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

Representative **CAIAZZO**: Thank you, Mr. Speaker. I'd like to provide a little bit of clarity for the Body. There's been some statements made that I don't know if are entirely accurate in reflection as to what the bill does. So, I'll just read the bill summary for everybody. This bill requires the municipal clerk to retain possession, custody and control over the sealed containers of ballots unless the law expressly authorizes the containers to be transferred and secured by another entity. The bill also requires those persons entitled to obtain original ballots for inspections to keep those ballots in their sole custody in a secure location, with any inspection subject to oversight by an appropriate public official. The bill also prohibits the municipal clerk from transferring possession, custody, or control of a voting machine or voting device to any person except as authorized by the Secretary of State. So, in essence, Mr. Speaker, what this bill does is this bill protects ballots and voting equipment from outside interference. It strengthens the chain of custody for ballots and equipment by explicitly stating in Statute that no outside parties can gain access to the ballots or election equipment without proper authorization. It protects the concept of secret ballot and indeed the integrity of the ballot by prohibiting ballots from being turned over to a third party that might seek to alter, damage, trace or even destroy the ballots themselves. And, finally, Mr. Speaker, this bill ensures that no outside entity can back-end alter the internal code of electronic tabulation machines or accessible voting machines in an effort to alter or disrupt accurate results. Thank you, Mr. Speaker.

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

Representative **DOLLOFF**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The issue with this bill, first, it's not necessary. We have never had a problem in Maine except for back in the '90s and that's probably when things are at the point they're at. And please, Representative

Caiazzo, correct me if I'm wrong, but I remember this being basically the town clerk has full possession of it and then it goes to the Secretary of State. So, there are no check and balances, there's nobody to watch that the town clerk is doing what she's supposed to be doing and we all hope and pray that they do and also just the Secretary of State has full control. The Secretary of State's position and I personally don't care if it's a Republican, a Democrat, Independent, Green party, it's an important position and I do not feel that anyone, even myself, if I have full control of something, I would still want somebody else there to prove that I didn't do anything wrong. We don't have any issues. We have the State Police involved. We need to keep what we have and don't take away any responsibility being in one person's hands without chain of command of somebody else to watch the responsibility. Thank you.

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

Representative **SUPICA**: Thank you, Mr. Speaker. I rise today as a former employee of the Department of the Secretary of State. And I have seen backstage, firsthand, how our electoral process works in Maine. I've seen our administrators work hard to ensure election integrity. But, however, we are all very aware of the shameful efforts made to cast doubt upon not only our democratic process but also the people who administer our elections. From my time at the Secretary of State's office, I can confidently say our State has a long history of elections that are transparent and secure. But now is not the time to pat ourselves on the back and just say job well done. This bill is a smart step in the right direction.

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

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

The SPEAKER: The Member may proceed.

Representative **COREY**: Great. So, you know, we heard the Representative from Scarborough read the summary of the bill. Can somebody point out where not constitutional law, but Statute that we have right now with regard to ballot security does not address all of those issues? Thank you.

The SPEAKER: The Representative from Windham, Representative Corey, has posed a question through the Chair to anyone who wishes to answer it. The Chair recognizes the Representative from Knox, Representative Kinney.

Representative **KINNEY**: Thank you, Mr. Speaker. I kind of have a question. It goes to the Good Representative from Scarborough reading the summary of the original bill but we're moving a Majority Ought to Pass as Amended which has a different summary. Is that appropriate to read at this time?

The SPEAKER: The Member may proceed.

Representative **KINNEY**: Thank you, Mr. Speaker. So, the summary for the amendment that passed in a majority out of committee reads a little differently. This amendment, which is the Majority Report of the committee makes the following changes to the bill. It clarifies that the municipal clerk must retain possession, custody and control over both sealed containers of State election materials and sealed containers of municipal election materials and adds a requirement that the municipal clerk must also retain possession, custody and control over the containers in which unused ballots are sealed.

Two, it clarifies that a municipal clerk may open or transfer the contents of the containers of State election materials, municipal election materials, or unused ballots when expressly authorized by rule. For example, when necessary to conduct a ranked choice voting count and for the purposes of conducting a recount of a presidential election in the State. Three, it removes the language of the bill that requires the inspection of ballots by the Chief Executive, either branch of the Legislature, any legislative committee, or a court to be subject to the oversight of a public official authorized by law to inspect ballots and replaces it with a requirement that the relevant municipal clerk, the Secretary of State, or the Secretary of State's designee must oversee the inspection of ballots by such persons. So, it's taking away transparency, in my opinion and I hope you will follow my light. Thank you.

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

Representative ANDREWS: Thank you, Mr. Speaker. Point of Information?

The SPEAKER: Is the Member rising for the purpose of a Point of Order?

Representative ANDREWS: Point of Information, sir.

The SPEAKER: Is the Member wishing to pose a question through the Chair?

Representative ANDREWS: That'll work.

The SPEAKER: The Member may proceed.

Representative ANDREWS: Thank you, sir. How is the Secretary of State put into office? 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. 466**

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

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

ABSENT - Blume, Brennan, Cebra, Dillingham, Drinkwater, Gifford, Head, Kryzak, Martin, Mason, McDonald, Millett, Paulhus, Sharpe, Sylvester, Theriault, Tuell.

Yes, 76; No, 55; Absent, 17; Vacant, 3; Excused, 0.

76 having voted in the affirmative and 55 voted in the negative, 3 vacancies with 17 being absent, and accordingly Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-791)** 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-791)** and sent for concurrence.

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

**SENATE PAPERS**

**Non-Concurrent Matter**

Bill "An Act To Establish a Court Process for Involuntary Substance Use Disorder Treatment"

(H.P. 1496) (L.D. 2008)

**REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in the House on March 9, 2022.

Came from the Senate **REFERRED** to the Committee on **JUDICIARY** in **NON-CONCURRENCE**.

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

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

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**REPORTS OF COMMITTEE**

**Divided Report**

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-792)** on Bill "An Act To Allow Wine Retailers with 2 or More Licensed Facilities To Freely Transfer Wine between Approved Facilities"

(H.P. 1420) (L.D. 1914)

Signed:

Senators:

HICKMAN of Kennebec  
FARRIN of Somerset  
MIRAMANT of Knox

Representatives:

CAIAZZO of Scarborough  
HARRINGTON of Sanford  
KINNEY of Knox  
McCREIGHT of Harpswell  
RIELLY of Westbrook  
SUPICA of Bangor  
WOOD of Portland

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

Signed:

Representatives:

COREY of Windham  
DOLLOFF of Milton Township

**READ.**

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-792)** 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-792)** and sent for concurrence.

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

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### CONSENT CALENDAR

#### First Day

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

(H.P. 1309) (L.D. 1758) Bill "An Act Regarding Access to Telehealth Behavioral Health Services during Public Health Emergencies" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 1312) (L.D. 1761) Bill "An Act To Amend the Inspection Requirement for Facilities for Children and Adults with a National Accreditation" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 1313) (L.D. 1762) Bill "An Act To Amend the Law Regarding Expiration of Disability Plates and Placards and Fees for Recycler Licenses" Committee on **TRANSPORTATION** reporting **Ought to Pass**

(H.P. 1316) (L.D. 1765) Bill "An Act To Support Child Care for Working Families" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 1320) (L.D. 1769) Bill "An Act To Align the Child and Family Services and Child Protection Act with Federal Law" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 1392) (L.D. 1882) Resolve, Directing the Department of Health and Human Services To Review the Requirements for Certification of Micropigmentation Practitioners (EMERGENCY) Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass**

(H.P. 1452) (L.D. 1947) Bill "An Act To Promote Electronic Filing of State Agency and Legislative Committee Publications" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

(H.P. 1308) (L.D. 1757) Bill "An Act To Make Technical Changes to Maine Tax Laws" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-787)**

(H.P. 1364) (L.D. 1843) Bill "An Act To Allow the Secretary of State To Use an Electronic Lien Titling Program for the Purposes of the Maine Motor Vehicle Certificate of Title and Antitheft Act" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-798)**

(H.P. 1369) (L.D. 1848) Bill "An Act To Increase the Availability of Assertive Community Treatment Services" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-799)**

(H.P. 1370) (L.D. 1849) Bill "An Act To Clarify Inspection Requirements for Hospitals and Certain Nursing Facilities" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-794)**

(H.P. 1374) (L.D. 1864) Resolve, Regarding Legislative Review of Chapter 33: Family Child Care Provider Licensing Rule, a Major Substantive Rule of the Department of Health and Human Services, Office of Child and Family Services (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-783)**

(H.P. 1380) (L.D. 1870) Bill "An Act Regarding the Maine School Safety Center" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-790)**

(H.P. 1383) (L.D. 1873) Bill "An Act Related to Airboats" (EMERGENCY) Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-795)**

(H.P. 1393) (L.D. 1883) Bill "An Act To Update the Setoffs against Lottery Winnings" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-800)**

(H.P. 1401) (L.D. 1891) Bill "An Act To Continue Supporting Safe Drinking Water for Maine Families" Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-796)**

(H.P. 1403) (L.D. 1892) Bill "An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2023" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-797)**

(H.P. 1427) (L.D. 1920) Bill "An Act To Enact the Interstate Counseling Compact To Address Inequities in Access to Clinical Counseling Services and Increase Maine's Provider Workforce" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-779)**

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

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

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

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### ENACTORS

#### Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Explicitly Prohibit Discrimination Based on the Sex of an Individual

(H.P. 242) (L.D. 344)

(C. "A" H-764)

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

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

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**Emergency Measure**

An Act To Clarify the Appeals Process for Decisions Related to the Maine Health Insurance Marketplace (S.P. 655) (L.D. 1837) (C. "A" S-420)

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. 108 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**

Resolve, To Reestablish the Task Force To Study the Creation of a Comprehensive Career and Technical Education System (S.P. 267) (L.D. 680) (C. "A" S-418)

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

**Emergency Measure**

Resolve, Regarding Legislative Review of Chapter 26: Producer Margins, a Major Substantive Rule of the Maine Milk Commission (H.P. 1347) (L.D. 1805) (C. "A" H-766)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 113 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

**Pursuant to the Constitution  
Public Land**

Resolve, Authorizing the Department of Agriculture, Conservation and Forestry To Convey Certain Land in Penobscot County (H.P. 1307) (L.D. 1756) (C. "A" H-767)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 23 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 105 voted in favor of the same and 22 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

**Acts**

An Act To Ensure Compliance with the Interstate Fishery Management Plan for American Lobster (S.P. 597) (L.D. 1742) (C. "A" S-422)

An Act To Amend Certain Definitions in the Statutes Governing the Gambling Control Board (S.P. 598) (L.D. 1743)

An Act To Extend the Changes to the Liquor Laws Made by Public Law 2021, Chapters 3 and 91 (S.P. 609) (L.D. 1751) (C. "A" S-419)

An Act To Promote Labor Education through the University of Maine System (H.P. 1349) (L.D. 1816) (C. "A" H-763)

An Act Regarding Abandoned Motor Vehicle Storage Fees and Lienholder Notification (H.P. 1386) (L.D. 1876) (C. "A" H-765)

An Act To Ensure That Building Codes Allow the Installation and Use of Refrigeration and Air Conditioning Products and Equipment That Use Certain Federally Regulated Refrigerants (S.P. 680) (L.D. 1940) (C. "A" S-421)

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

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

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

**UNFINISHED BUSINESS**

The following matter, in the consideration of which the House was engaged at the time of adjournment, Wednesday, February 23, 2022 had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Bill "An Act To Update the Designation of Vietnam War Remembrance Day" (EMERGENCY) (S.P. 718) (L.D. 2000)

- In Senate, **READ TWICE** under suspension of the rules without reference to a committee and **PASSED TO BE ENGROSSED**.

TABLED - February 23, 2022 (Till Later Today) by Representative DUNPHY of Old Town.

PENDING - **REFERENCE**.

Subsequently, under suspension of the rules and **WITHOUT REFERENCE** to a Committee, the Bill was **READ TWICE** and **PASSED TO BE ENGROSSED** in concurrence.

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

**SENATE PAPERS**

The following Joint Order: (S.P. 727) ORDERED, the House concurring, that when the Senate and House adjourn, they do so until the call of the President of the Senate and the Speaker of the House, respectively.

Came from the Senate, **READ** and **PASSED**.

**READ**.

The SPEAKER: The Chair recognizes the Representative from Eddington, Representative Lyford.

Representative **LYFORD**: Thank you, Mr. Speaker. On emergency measure 10-4, I'd like to be recorded as yeay.

The SPEAKER: The record shall so reflect. The Chair would inform the Member that recording a vote later or reflecting your vote in the record is not appropriate at this juncture. That would be more appropriate during announcements from the floor. However, the record shall so reflect.

Subsequently, the Joint Order was **PASSED** in concurrence.

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**CONSENT CALENDAR**  
**First Day**

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

(S.P. 430) (L.D. 1348) Bill "An Act To Limit the Decibel Level of Fireworks Near Working Farms" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-423)**

(S.P. 603) (L.D. 1747) Bill "An Act To Require Screening for Cytomegalovirus in Certain Newborn Infants" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-432)**

(S.P. 617) (L.D. 1781) Bill "An Act To Align Postpartum MaineCare Coverage with Federal Law" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-429)**

(S.P. 641) (L.D. 1814) Bill "An Act To Repeal the St. Francis Water District Charter and Direct the Town of St. Francis To Assume, Maintain and Operate the Property of the District" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-433)**

(S.P. 642) (L.D. 1815) Bill "An Act To Revise Certain Financial Regulatory Provisions of the Maine Insurance Code To Be Consistent with Model Laws from the National Association of Insurance Commissioners" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-425)**

(S.P. 644) (L.D. 1828) Bill "An Act Requiring a Contract for the Administration of the Department of Agriculture, Conservation and Forestry's Low-cost Spaying and Neutering Program" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-428)**

(S.P. 602) (L.D. 1852) Resolve, Authorizing the Maine National Guard To Sell Certain Property in Hallowell Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-431)**

(S.P. 682) (L.D. 1941) Bill "An Act To Clarify and Update the Maine Seed Capital Tax Credit Program" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-430)**

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.

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

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

(S.P. 201) (L.D. 493) Bill "An Act To Allow Custom Slaughterhouses To Produce Cuts of Meat To Be Sold Commercially in the State" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-435)**

(S.P. 712) (L.D. 1981) Resolve, Authorizing the Bureau of Parks and Lands To Authorize Additional Construction and Installations Related to a Telecommunications Tower on Bald Mountain in the Town of Rangeley Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-434)**

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.

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

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

(H.P. 462) (L.D. 626) Bill "An Act To Clarify Temporary Mooring Privileges for Moorings on Inland Waters" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-803)**

(H.P. 1385) (L.D. 1875) Bill "An Act To Address Perfluoroalkyl and Polyfluoroalkyl Substances Pollution from State-owned Solid Waste Disposal Facilities" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-802)**

(H.P. 1397) (L.D. 1887) Bill "An Act To Establish the Securities Restitution Assistance Fund for Victims of Securities Violations" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-801)**

(H.P. 1440) (L.D. 1931) Resolve, Regarding Legislative Review of Portions of Chapter 40: Rule for Medication Administration in Maine Schools, a Major Substantive Rule of the Department of Education (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-804)**

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.

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

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

(H.P. 1343) (L.D. 1802) Bill "An Act To Amend the Requirements of the Reorganization Plan for the Formation of Regional School Units" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-805)**

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.

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

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The SPEAKER: The Chair recognizes the Representative from Belfast, Representative Dodge.

Representative **DODGE**: Thank you, Mr. Speaker. I request unanimous consent to address the House on the record, please.

The SPEAKER: The Representative from Belfast, Representative Dodge, has requested unanimous consent to address the House on the record. Is there any objection? Hearing none, it is so ordered. The Member may proceed.

Representative **DODGE**: Thank you, Mr. Speaker. In reference to Roll Call No. 60, had I been present in the chamber, I would have voted yea.

The SPEAKER: The record shall so reflect.

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

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On motion of Representative RIELLY of Westbrook, the House adjourned at 2:29 p.m., until the call of the Speaker of the House and the President of the Senate respectively, pursuant to the Joint Order (S.P. 727) and in honor and lasting tribute to Mert Hickey of West Gardnier, Bobbie Pelletier of Orrington, Timmy J. Boynton of Gorham, Lorraine Vaillancourt of Augusta, Khaleid Eric Butoto of Westbrook.