

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
8th Legislative Day
Thursday, March 24, 2022

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

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

National Anthem by Sammie Angel, Dixfield.

Pledge of Allegiance.

The Journal of Tuesday, March 22, 2022 was read and approved.

SENATE PAPERS

The following Joint Resolution: (S.P. 736)

**JOINT RESOLUTION RECOGNIZING MARCH 2022 AS
BLEEDING DISORDERS AWARENESS MONTH**

WHEREAS, bleeding disorders, which are distinguished by the inability to form a proper blood clot, are characterized by extended bleeding after injury, surgery, trauma or menstruation and can lead to significant morbidity and can be fatal if not treated effectively; and

WHEREAS, many individuals with hemophilia became infected with HIV and hepatitis C in the 1980s due to the contamination of the blood supply and blood products; and

WHEREAS, Bleeding Disorders Awareness Month will generate greater awareness and understanding of not only hemophilia but all inheritable bleeding disorders, including von Willebrand disease, which alone affects an estimated one percent of the U.S. population, or more than 3.2 million individuals; and

WHEREAS, Bleeding Disorders Awareness Month will foster a greater sense of community and shared purpose among all individuals with inheritable bleeding disorders; and

WHEREAS, Bleeding Disorders Awareness Month will elevate awareness of and engagement in the inheritable bleeding disorders journey for the general public, enabling the prevention of illness, unnecessary procedures and disability; 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 Bleeding Disorders Awareness Month.

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

READ and **ADOPTED** in concurrence.

The following Joint Resolution: (S.P. 740)

**JOINT RESOLUTION TO REAFFIRM THE FRIENDSHIP
BETWEEN MAINE AND TAIWAN, ENHANCE BILATERAL
TRADE RELATIONS WITH TAIWAN AND SUPPORT
TAIWAN'S PARTICIPATION IN INTERNATIONAL
ORGANIZATIONS AND AGREEMENTS**

WHEREAS, the United States and the Republic of China (Taiwan) share a vibrant bilateral relationship marked by a mutually beneficial partnership, supported by our common values of freedom, democracy, rule of law and a free market economy, and our countries now enjoy the strongest relations ever; and

WHEREAS, the United States ranks as Taiwan's 2nd-largest trading partner, and Taiwan is the 8th-largest trading partner of the United States, with United States trade in goods with Taiwan totaling an estimated \$114.1 billion in 2021; and

WHEREAS, a bilateral trade agreement between Taiwan and the United States would result in even greater Maine exports to Taiwan and create more jobs for the people of Maine; and

WHEREAS, Maine's Department of Education and the Ministry of Education of the Republic of China (Taiwan) entered into a memorandum of understanding to strengthen and enhance educational exchange and cooperation; and

WHEREAS, New England exported more than \$1 billion in goods to Taiwan in 2021, of which Maine exported \$25 million in goods, mostly in computer and electronic products, fish and other marine products, machinery and chemicals, making Taiwan Maine's 15th largest export market in the world; and

WHEREAS, Taiwan is a key transport hub in the Asia-Pacific region, making its inclusion in international organizations such as the World Health Organization, the International Criminal Police Organization and the International Civil Aviation Organization imperative for the best interests and safety of the international community. In addition, Taiwan's inclusion in the United Nations Framework Convention on Climate Change is necessary in the global effort to combat climate change; 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, support a stronger United States-Taiwan relationship under the Biden administration, including the signing of a bilateral trade agreement, encourage the further exploration of ways to strengthen and promote bilateral exchange between Maine and Taiwan, including the possibility of signing a driver's license reciprocity agreement with Taiwan, and support pursuing a memorandum of understanding promoting further increasing trade and people-to-people exchanges; and be it further

RESOLVED: That we support Taiwan's participation in international organizations and agreements, including the World Health Organization, the International Criminal Police Organization, the International Civil Aviation Organization and the United Nations Framework Convention on Climate Change; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Joseph R. Biden, President of the United States, the members of the Maine Congressional Delegation, the Honorable Janet Mills, Governor of Maine, the Honorable Tsai Ing-wen, President of the Republic of China (Taiwan) and the Honorable Jonathan Sun, Director-General of the Taipei Economic and Cultural Office in Boston, Massachusetts.

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

READ and **ADOPTED** in concurrence.

Non-Concurrent Matter

Bill "An Act Concerning Advanced Refrigeration Technology"

(H.P. 634) (L.D. 866)

Majority (11) **REFER TO THE COMMITTEE ON INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES READ**

and **ACCEPTED** and the Bill and accompanying papers **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** in the House on March 22, 2022.

Came from the Senate with the Bill and accompanying papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

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

COMMUNICATIONS

The Following Communication: (H.C. 391)

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

March 24, 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:"

Energy, Utilities and Technology

L.D. 1955 An Act To Facilitate Net Energy Billing

Judiciary

L.D. 1728 An Act To Provide Assistance to Law Enforcement Officers To Allow Them To Protect the Residents of the State

Labor and Housing

L.D. 464 An Act To Change Certain Labor Laws

L.D. 468 An Act To Amend the Laws Governing Labor and Housing

L.D. 831 An Act To Aid Workforce Development

L.D. 907 An Act Concerning State Pension Funds and Climate Change

Sincerely,

S/Robert B. Hunt

Clerk of House

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

The Following Communication: (S.P. 737)

**MAINE SENATE
130TH LEGISLATURE
OFFICE OF THE SECRETARY**

March 16, 2022

Hon. Troy D. Jackson

President of the Senate

130th Legislature

Hon. Ryan M. Fecteau

Speaker of the House

130th Legislature

Dear Mr. President and Mr. Speaker:

On March 16, 2022, 1 bill was received by the Secretary of the Senate.

Pursuant to the provisions of Joint Rule 308.2, this bill was referred to a Joint Standing Committee on March 16, 2022, as follows:

Agriculture, Conservation and Forestry

Resolve, To Authorize the Bureau of Parks and Lands To Enter into a Lease with Aroostook Technologies, Inc. for a Parcel of Land in Township 11, Range 4 WELS (S.P. 735) (L.D. 2025) (Sponsored by Senator STEWART of Aroostook) (Cosponsored by Representatives: UNDERWOOD of Presque Isle, BERNARD of Caribou) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.)

Sincerely,

S/Darek M. Grant

Secretary of the Senate

S/Robert B. Hunt

Clerk of the House

Came from the Senate, **READ** and **ORDERED PLACED ON FILE**.

READ and **ORDERED PLACED ON FILE** in concurrence.

The Following Communication: (S.C. 1193)

**MAINE SENATE
130TH LEGISLATURE**

March 22, 2022

Honorable Ryan Fecteau

Speaker of the House

2 State House Station

Augusta, ME 04333-0002

Dear Speaker Fecteau:

In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 130th Maine Legislature, please be advised that the Senate today confirmed the following nominations:

Upon the recommendation of the Committee on Education and Cultural Affairs:

To the Maine Maritime Academy, Board of Trustees:

- Alaina B. Adams, Ph.D. of West Roxbury for appointment
- S. Catherine Longley of Bar Harbor for appointment
- Roxanna MacGregor of Eastport for appointment
- John S. Webb, Esquire of Arundel for appointment

To the School Board of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf:

- Jason A. Bubier of Ellsworth for appointment
- Thomas W. Minch of Lewiston for reappointment
- Elizabeth A. Seal of Lisbon Falls for reappointment

To the State Board of Education:

- Mark Balfantz of Portland for appointment
- Kristin K. Bishop of Madison for appointment
- Thomas Earl Keller of Newcastle for appointment

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

To the Efficiency Maine Trust Board of Directors:

- Glenn S. Poole of Orrington for reappointment
- Christopher J. Rauscher, JD of Cape Elizabeth for appointment
- Joan W. Welsh of Rockport for reappointment

Upon the recommendation of the Committee on Innovation, Development, Economic Advancement and Business:

To the Finance Authority of Maine:

- William L. Caron, Jr. of Cape Elizabeth for appointment
- Jennifer Hogan of Turner for appointment

To the Loring Development Authority of Maine:

- Kristine Logan of Topsham for appointment

To the Maine Rural Development Authority, Board of Trustees:

- Adrian P. Kendall, Esquire of Cumberland for reappointment

Upon the recommendation of the Committee on Transportation:

To the Northern New England Passenger Rail Authority:

- Marguerite Miller Fleming of Portland for appointment

Best Regards,

S/Darek M. Grant

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

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

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

ORDERS

On motion of Representative MARTIN of Eagle Lake, the following House Order: (H.O. 19)

ORDERED, that Representative Robert W. Alley, Sr. of Beals be excused February 10 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Christopher W. Babbidge of Kennebunk be excused February 23 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Bruce A. Bickford of Auburn be excused February 23 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Benjamin T. Collings of Portland be excused January 26 for health reasons and February 16 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative W. Edward Crockett of Portland be excused February 23 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Gary A. Drinkwater of Milford be excused March 9 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Jeffrey Evangelos of Friendship be excused January 5 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Billy Bob Faulkingham of Winter Harbor be excused February 10 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Jeffery Allen Gifford of Lincoln be excused February 10 and February 23 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Jeffery P. Hanley of Pittston be excused January 26 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Frances M. Head of Bethel be excused March 9 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Patricia Hymanson of York be excused January 5 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Sean C. Paulhus of Bath be excused January 26 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Teresa S. Pierce of Falmouth be excused February 23 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Rena D. Newell of the Passamaquoddy Tribe be excused January 26 and February 16 for health reasons, and February 23 and March 9 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative H. Scott Landry, Jr. of Farmington be excused January 26 for health reasons and February 16 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Richard G. Mason of Lisbon be excused January 26 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Genevieve McDonald of Stonington be excused January 5 and February 10 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Rebecca J. Millett of Cape Elizabeth be excused January 5 and March 9 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Braden Sharpe of Durham be excused January 5 and 26, February 10, 16, and 23 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Laura D. Supica of Bangor be excused February 10 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Michael A. Sylvester of Portland be excused January 5 and 26 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Denise A. Tepler of Topsham be excused January 5 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Ralph L. Tucker of Brunswick be excused February 10 for health reasons.

AND BE IT FURTHER ORDERED, that Representative William R. Tuell of East Machias be excused January 26 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Nathan J. Wadsworth of Hiram be excused February 10 and 16 for personal reasons.

READ and PASSED.

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Raise the Debt Limit of the Eagle Lake Water and Sewer District" (EMERGENCY)

(H.P. 1514) (L.D. 2033)

Sponsored by Representative MARTIN of Eagle Lake.

Cosponsored by President JACKSON of Aroostook.

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

Committee on **ENERGY, UTILITIES AND TECHNOLOGY** suggested and ordered printed.

REFERRED to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

Sent for concurrence.

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

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

Representative PICKETT: Ladies and Gentlemen of the House, it's my honor today to have the 2022 Boys Basketball Class C State Champion Dirigo Cougars with us in the House. During the State title game, this team at one point was down 13 points in the fourth quarter and came back to win with a buzzer beater three-point goal by Charlie Houghton to win the game. It's the fifth time in all of State basketball history that a State title game was won with a buzzer-beater goal and the first time in Dirigo history. If you had the privilege to watch this team play throughout the season, you would've seen that they are the essence of a championship team. They had the talent, the energy, the enthusiasm, the chemistry and character on and off the court. When talking with people about this team, they all start out by saying they're a wonderful group, in the classroom as well as throughout the community and that is definitely something to be proud of. There's a phrase in the Dixfield area called Dirigo Magic and you cannot really describe what it is but you know it when you see it. It might just very well be, quite simply, a love for Dirigo High School. Our high school is the heart of our region. Our community is extremely proud of this team and how they carry themselves. They now have cemented their legacy in State and Dirigo history and without a doubt, can you feel it? Can you feel it? They brought back Dirigo Magic. I ask you all to stand and recognize the State C Championship Dirigo Cougars when the Speaker asks. Thank you.

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

Representative FOSTER: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Although it pains me greatly, I stand as I often have in this House to acknowledge the Good Representative from Dixfield and the Dirigo High School State Basketball Champions of Class C. They pulled off a stunning upset at the end. Congratulations to them and I will applaud them when I have the opportunity and also the Representative from Dixfield. Thank you.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Glenburn School Chess Team, which won the State Championship. We extend our congratulations and best wishes;

(HLS 672)

Presented by Representative GRIFFIN of Levant. Cosponsored by Senator GUERIN of Penobscot.

On **OBJECTION** of Representative DILLINGHAM of Oxford, was **REMOVED** from the Special Sentiment Calendar.

READ.

On motion of the same Representative, **TABLED** pending **PASSAGE** and later today assigned.

Recognizing:

Paul Penna, of Windham, who is retiring as Superintendent of Regional School Unit 6 after 41 years of public service. Superintendent Penna began his career of public service as a South Portland Police Officer in 1981. We extend our congratulations and best wishes;

(HLS 673)

Presented by Representative CARLOW of Buxton.

Cosponsored by Senator BAILEY of York, Senator BRENNER of Cumberland, Senator DIAMOND of Cumberland, Representative AUSTIN of Gray, Representative BLIER of Buxton, Representative BRYANT of Windham, Representative COREY of Windham, Representative ORDDWAY of Standish.

On **OBJECTION** of Representative CARLOW of Buxton, was **REMOVED** from the Special Sentiment Calendar.

READ.

On motion of the same Representative, **TABLED** pending **PASSAGE** and later today assigned.

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

REPORTS OF COMMITTEE

Ought to Pass Pursuant to Resolve

Report of the **Joint Standing Committee on Judiciary** on Resolve, Directing the Family Law Advisory Commission To Develop Options To Improve Preliminary Injunctions in Judicial Separation and Divorce Actions

(S.P. 739) (L.D. 2028)

Reporting **Ought to Pass** pursuant to Resolve 2021, chapter 78, section 1.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED.**

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

The Resolve **READ ONCE.**

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

Under further suspension of the rules, the Resolve was **PASSED TO BE ENGROSSED** in concurrence.

Divided Reports

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Exempt Nonprofit Agricultural Membership Organizations from Insurance Requirements"

(S.P. 518) (L.D. 1628)

Signed:

Senators:

SANBORN of Cumberland
BRENNER of Cumberland

Representatives:

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

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

Signed:

Senator:

STEWART of Aroostook

Representatives:

BLIER of Buxton

MORRIS of Turner

QUINT of Hodgdon

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

READ.

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

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

Representative **TEPLER**: Thank you, Mr. Speaker, Men and Women of the House. Did you like the way health insurance worked in the '90s? If you liked that, you might want to go back to that time when preexisting conditions and your age and your gender could make a difference in whether or not you'd be covered for health insurance. We've all assumed that we don't know when we're going to get sick, when we will get ill or have a serious problem with our health. And we have insurance just in that case. This bill would create an exception to Maine's insurance health insurance laws and protections that would allow a nonprofit agricultural organization to buy a program from the Tennessee Farm Bureau that would take us back to that time of terrible insurance. Where you would pay for something and not really be sure if it would help you cover your bills when you're sick, or even if you could get insured through the program. So, I urge everyone to please vote Ought Not to Pass on this bill.

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

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

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

Representative **MORRIS**: Thank you, Mr. Speaker. I rise in opposition to this motion, in favor of the bill. What this would allow is it would allow our farmers in the State of Maine to be able to purchase insurance through their Farm Bureau. This is modeled after a law that is successful in many other states, most specifically Tennessee. The Farm Bureau testified during the hearing that farmers in Tennessee save up to 77%, up to \$10,000 annually on their health insurance. This is about giving farmers the option to purchase an insurance product that works for them. Unfortunately, many of them go without insurance. I don't think that is a better solution than allowing them to make the choice for their family as to whether or not they want to buy another product. This product would allow the farmer the opportunity to have insurance so they could still go to a doctor and have their regular checkups, have their regular visits and it wouldn't be backbreaking so that they would worry about being able to keep their family farm. We have been losing family farms in this State and in part it is because of the increased cost of health insurance, the increased costs of energy. This is one way we can provide

some measure of relief for our farmers to be able to purchase insurance.

The thing that we have to understand is farmers are price takers, they're not price makers. They do not get the option to say that based on these other costs that they have that they are going to suddenly just raise their prices and the market will take it. It doesn't work that way. They have to compete with farmers from all over the world and consumers want what they can find at the cheapest price. So, this is about really helping our Maine small farms, the family farmers. I trust our farmers. My grandmother grew up on a farm, she's probably the smartest woman I know, you know, when it comes to home remedies and things. I trust that our farmers can buy these products and know what they're getting and be able to decide. Part of the reason why health insurance in this State has gotten so expensive is because of State mandates that continue to be piled on that makes it unaffordable for our farmers who, as I said earlier, cannot just decide that they're going to raise their prices to meet the marketplace. So, for those reasons, I would encourage this Body to reject this motion, let's help our farmers and pass 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. I object to the pending motion. As a farmer, as someone who's had to pay out of pocket for my health insurance prior to my service here in the Legislature, not being able to get in on a group program. Farmers in my district are paying between two and five thousand dollars per month. On that higher end, that's \$60,000 a year they're paying for health insurance. This program would allow them to have access to a more inexpensive health insurance program to allow them to be able to visit the doctor. Sixty-thousand dollars a year; a lot of farmers don't make that in a year because as the Good Representative from Turner pointed out, we're price takers, we don't get to make the prices. I don't get to make my prices for my products because I have to deal with Canada with maple syrup pricing. They set the prices, I don't. I can adjust it a couple dollars here and there but that's about it. It's done with a bigger federation that has control and that's the same case with the dairy farmers, it's the same case with produce farmers. Small, tiny producers have the option to come up with their own because they're niche farmers but anyone that's trying to do this as their sole source of income is having a very difficult time and this program has worked for years with both the State of Tennessee does it very efficiently and so does the State of Indiana. And the Farm Bureau works very hard to make sure that there's insurance available. Do the farmers have to take this insurance? Absolutely not. They don't have to go into a program that has this exception against preexisting conditions, but if they have the option and if they don't have a preexisting condition, if they have the choice of paying \$60,000 a year versus \$12,000 a year, which one would you choose? Thank you.

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

Representative **HYMANSON**: Thank you, Colleagues in the House. I met with the farmers in the Farm Bureau in York just this past weekend. We had a nice afternoon with pie and

this bill came up and I listened to their concerns about health care. And it reminded me of the days when I was in private practice before the ACA and when I would see people and they would have some minor complaint and I would say to them you know what, I'm not going to put that in your record because your low back pain that you're telling me about would be a preexisting condition and going forward anything that happened around your low back pain would never be paid for by your insurance because it would show up in my records as preexisting. So, we'd wink-wink and nodded-nodded that I would know they had low back pain but it wasn't going to be in their record. This policy would bring back those days and I cannot support those days being brought back. So, I will support the current motion. Thank you, Mr. Speaker.

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

Representative **ARFORD**: Thank you, Mr. Speaker. I rise in support of the pending motion. In addition to the comments that have been made by my respected colleague, Representative Tepler, a very significant concern that I have regarding this legislation is the fact that it does not offer any measure of transparency to the members of the Farm Bureau, who are in dire need of affordable insurance because there may be a more affordable option for them found either in MaineCare or on the Exchange on a subsidized plan. Yet, if they are a member of the Farmers Union and they are offered this plan, they may simply believe that this is their most affordable option and/or even their only option. So, for all the reasons that have been mentioned by those that are also supporting the pending motion, I will add that the lack of transparency is very significant and needs to be addressed.

The SPEAKER: The Chair recognizes the Representative from Kittery, Representative Mathieson.

Representative **MATHIESON**: Thank you, Mr. Speaker. I rise in support of the motion on the floor, Ought to Pass and I wish to read testimony from our Superintendent of Insurance, Eric Cloppa. Sorry, did I say Ought Not to Pass? Yes. Our Superintendent Cloppa testified in the public hearing in opposition to LD 1628. This bill would create an exemption from the definition of health insurance in the insurance code. An organization could provide health benefits coverage to its members, their dependents and others, which they read to mean the general public, without being subject to regulation by the Bureau of Insurance. In this bill, the organization would be required to provide written notice to the applicant upon initial application of the coverage and when the person was renewing the coverage. This notice provided would say that the plan was not subject to the laws and rules regulating insurance companies. The plan is not under the jurisdiction of the superintendent. If the plan doesn't pay for eligible medical expenses for any reason, covered individuals may be liable for those expenses. This exemption would allow the membership organization to provide coverage in Maine that the Bureau could not regulate. Apart from this written notice required, a consumer complaint, for example, about coverage would have no recourse through the Bureau. No State regulator except possibly the Office of Attorney General would have financial oversight over these organizations. The organization would not have to maintain minimum funding or any actuarial review for its health benefit liabilities.

Financial oversight of insurances is at the core of the Bureau's mission. It allows the Bureau to determine whether an insurer is in a hazardous financial position. Insurers file these quarterly and annually so the Bureau can review this carefully to ensure that the insurers are participating responsibly in the Maine market. This would be an unregulated, multi-employer welfare agreement, or a MEWA. In the long history of MEWAs, failing is clear when they have no proper regulatory oversight. For these reasons, I support the motion Ought Not to Pass and ask you to follow my light. Thank you.

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

Representative **KINNEY**: Thank you, Mr. Speaker. In listening to some of the testimony, I had to rise a second time. First of all, I want to point out the fact that the Maine Farm Bureau is not and never has been, never will be a union organization for farmers. It is a member organization of likeminded people that have similar interests; we're farmers. And we come from different areas of farming. We have dairy farmers, we have maple syrup producers, we have produce farmers, we have floral growers, aquaculture is part of the Maine Farm Bureau, horse equine farms, all different types of farming across the State. There's no union to this at all. And we wouldn't be purchasing into a union group insurance plan, though I do understand that many unions offer group insurance. Additionally, the idea of being able to get onto the Exchange, my farmers have tried. We have one of the things that farmers are, we're land rich and money poor. We have a lot of land and therefore because of that we do not qualify for MaineCare, we do not qualify for the Exchange and the low rates along the insurance rates along there. And because farming is actually a dangerous occupation, right before I met my husband, his aunt was killed on a tractor because she was wearing loose clothing, got caught in a PTO machine and she was killed instantly when her clothing got wrapped around the PTO. It moves at hundreds and sometimes thousands of rotations per second. It's a dangerous occupation and a lot of insurance companies don't want to insure farmers.

This program will insure farmers who do sometimes have preexisting conditions and maybe those won't be covered, but we can't get insurance sometimes other places because they don't want to insure us. We have difficulties because a lot of our farms have woodstoves and a lot of insurance companies won't insure the farmer's home because of the woodstove that's in it. But the farm policies do because they understand that the farmer is taking care of things and they're there all day long so there's not as much of a risk. So, I just encourage this Body to please follow my light and reject the motion on the floor. Thank you.

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

Representative **MORRIS**: Thank you, Mr. Speaker. Sorry to rise a second time, but I just wanted to again reiterate this is not a plan that's going to be available for everybody; it's for Farm Bureau members, specifically those that are actively farming. I trust our farmers to be able to make the choice of what is best for them and their family, just as I trust any individual to make the choice for what is best for their family. This is about giving them another option that's cheaper. It's

working very well in other states. I encourage this Body to reject this motion. Let's put our faith in the people that grow our food and let's let them purchase the insurance that works best for their family. Thank you.

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

Representative **TEPLER**: Thank you, Mr. Speaker. I'd like to address two issues that have been raised that I feel are incorrect.

First of all, the occupation of any individual is not considered on the ACA exchange. Your occupation doesn't make a difference. Under ACA law, only age, geography and smoking history, and in Maine we just eliminated the smoking history requirement, may be used as variables in determining what your cost will be. Your occupation does not matter. Secondly, assets are not a prime issue in judging subsidies. In fact, it's income, not assets that determines one's ability to receive a subsidy on the Exchange. Thank you, Mr. Speaker. I believe that this exception to the Maine Insurance Code is a serious problem.

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

Representative **UNDERWOOD**: Thank you very much, Mr. Speaker. Everybody in this room should ask themselves one question. That question is; do you support Maine agriculture? Vote nay. Thank you, Mr. Speaker.

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

ROLL CALL NO. 475

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

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

ABSENT - Blume, Cebra, Dolloff, Griffin, Grignon, Harrington, Head, Kryzak, McDonald, O'Neil, Paulhus, Salisbury, Sharpe.

Yes, 76; No, 59; Absent, 13; Vacant, 3; Excused, 0.

76 having voted in the affirmative and 59 voted in the negative, 3 vacancies with 13 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-437)** on Bill "An Act To Promote Home Ownership by Reducing Education Debt" (S.P. 709) (L.D. 1978)

Signed:

Senators:

CURRY of Waldo
RAFFERTY of York

Representatives:

ROBERTS of South Berwick
GEIGER of Rockland
HASENFUS of Readfield
LaROCHELLE of Augusta
PEBORTH of Blue Hill

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

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

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

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-437)**.

READ.

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

Representative DUCHARME of Madison **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 Madison, Representative Ducharme.

Representative **DUCHARME**: Thank you, Mr. Speaker. It pains me to rise today in opposition to the pending motion, LD 1978, "An Act To Promote Home Ownership by Reducing Education Debt".

I spent the last 20 years of my career doing mortgage lending for a regional Maine bank, helping hundreds of first-time homebuyers get to the place where they could purchase a home. I cannot count the number of Maine Housing First-Time Home Mortgages I've facilitated. I can say without a doubt that the Maine Housing First-Time Home Buyers program is one of the finest programs to help new home buyers that is available anywhere. Maine Housing has helped many Mainers buy their first home, including myself. This bill is a result of the resolve LD 1709 which, again, I say it pains me to rise because I supported 1709. LD 1709 asked Maine Housing and FAME to come up with a program to help with home ownership with folks that had education debt. This bill isn't really about first-

time home buyers. This bill is really about the explosion of student loan debt that has occurred since 2010. The Health care and Education Reconciliation Act of 2010 required that the federal government take over all student loan origination. Prior to that, many local banks, including my bank, assisted their local folks with financing their education. Local bankers helped them by financing the education that they could afford in creative ways so that they could earn enough to pay off the debt. Once they completed the education, they could then pay back the loans and have a decent life, including buying a home, based on the earnings that they achieved for the education that they had.

In 2010, that changed. When the federal takeover happened, something interesting happened; education costs began to rise. Fees began to be added, room and board increased and tuition slowly crept up. The federal government was willing to finance whatever the institutions asked, as long as they could put the student on the hook for it. There was no evident discussion about return on investment or effective utilization of educational dollars that could be reasonably paid back by future earnings in one's chosen field. If the annual funding need increased, the level of debt allowed was raised. Our own University of Maine remains one of the most cost-effective institutions in the country because they understand that relationship between cost to educate and future earnings. Others do not. Consequently, many students are saddled with exorbitant debt that will take them decades to pay off. Some have told me that they hope they can pay off their debt before they retire. We now have students graduating after four or five years of college with hundreds of thousands in student loan debt. These same students will be offered jobs making an average of \$60,000 a year. That salary will grow over ten years to maybe \$97,000 based on a 5% increase per year. If they have \$150,000 of student loan debt, they will be required to make a payment of roughly \$1200 a month based on a ten year payback. Now, \$150,000 is not what a UMaine student comes out of college with for debt. The average debt for a UMaine student is about \$30,000. So, please don't think that I'm dumping on UMaine here, because they do a great job.

For many generations, home ownership has been a dream of many people. As home prices have risen, government has stepped in to create programs like FHA, Maine Housing, to help folks achieve that dream. Lenders like myself worked with young people to help them build or repair their credit, to save a down payment and other techniques to help them get ready to achieve the dream of home ownership. Part of that discussion was about choices. I can remember talking with young folks and having an appointment for them to come to my office to talk about a mortgage and they'd walk in and they've got these huge cups of whatever the flavor of the day latte is from Starbucks or Dunkin Donuts that I know are \$5 or \$6 and my first comment to them was if you want to buy a house, make your coffee at home. It's about choices. It's about choices in your education, what you choose to study, where you choose to go. We have great options here in Maine and people should use them. As far as home ownership, as a lender, I can tell you there's nothing like the feeling of attending a closing for a new homeowner that has worked their tail off to get to the point where they could buy a home. I applaud the intention of this bill but I would challenge you to consider the

explosion of college cost that has occurred since 2010. We continually decry the cost of college and the bane of student loan debt but in nearly two years in this Body, I've never once heard anybody ask for analysis of college costs to see if they were excessive. Now, I've heard people talk about are insurance costs too high, are drug costs too high, are health care costs too high, but nobody says are education costs too high. We should think about that. Simply offering up to \$40,000 per borrower will not solve the student loan debt problem except for the 250 potential people that will be helped by the \$10 million fiscal note in this bill.

Mr. Speaker, the quest for homeownership and the desire to help folks to achieve this goal is admirable. I urge this Body to consider the fairness of this bill to the other nearly 40,000 students currently in college in Maine as well as the hundreds of thousands of Mainers who have paid their own college debt, saved their money, protected their credit and purchased their first home in Maine. The \$10 million if we send it to the University of Maine, would help 30,000 kids and we're going to appropriate \$10 million to help 250 potential borrowers. I ask you to follow my light and vote no on this program. Thank you.

The SPEAKER: The Chair recognizes the Representative from Caribou, Representative Bernard.

Representative **BERNARD**: Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I rise today against LD 1978 and against the motion on the floor. A few points to ponder in this discussion on the use of the peoples' money, \$10 million of it, to help about 250 possible homeowners. When I listened to my banker friend from Madison talk about money, I don't know about you, but I get kind of tingly inside because numbers don't lie. They're finite, they're quantifiable and in this case, they tell the story that, try as it might, this legislation would simply not work. He's done the math. This bill could use a little extra time to marinate, is the way I see it. Consider that the bill doesn't even require the applicant to graduate from college, as long as you have a debt. And what does this bill do for young tradespeople? The ones who learn through apprenticeship, for example and oh, the very people who are building the homes that some of those who qualify will actually live in.

Mr. Speaker, this Legislature, I should say, has worked very hard to ascertain that our bills offer equal opportunity to all Maine people. This bill offers a special leg up, a \$40,000 leg up only to those who have incurred huge debts while attending college. How is this equal and fair to the person who graduated from high school, went to work in the woods or Twin Rivers Paper Company or Pineland Farms and who worked and saved and were frugal with what they earned? I believe we're about halfway there with this issue. We have determined that educational debt is the problem. Will we take the next step to find out why? What is happening that pushes costs up year over year and tackle that rather than throwing up our hands and saying that's the way it is, we'll have to help people with buying homes and then maybe buying their cars because that's the next biggest expense. The point is, Mr. Speaker, is this bill does nothing to address the issue of the cost of education. This bill is not a student loan forgiveness plan. It's simply taking tax money from one person and paying off the debts of another. Please take a moment to consider the

ineffectiveness and the unfairness of this bill and vote no. Thank you so much for your kind attention.

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

Representative **ROBERTS**: Thank you, Mr. Speaker, Men and Women of the House. I rise in support of the pending motion. The bill before us seeks to fund a program that has already been created by the Maine Housing Authority and the Finance Authority of Maine to promote homeownership by reducing education debt. As the Good Representative from Madison noted, the creation of this program was passed in legislation in the last session. We are now looking at the implementation, which requires funding. Not only has affordable housing reached a crisis point in Maine, but we are also experiencing a workforce shortage and in need of attracting young people to our State. Many young people who may have left the State to attend college and want to return back to Maine are not able to do so because of the cost of buying a home here, especially when their student loan debt is taken into consideration. When lenders are looking at potential lenders, they examine their debt-to-income ratio and where a mortgage will fit into that. If the parameters are not met, then a loan cannot be secured. Funding this program will be a gamechanger, as it has been in the other states that have implemented it. Potential homebuyers who meet the criteria and make a commitment to stay in Maine will be not only relieved of some of their loan debt but be able to purchase a home and raise their families here in Maine. It is not uncommon or incorrect to think that the overall cost of education is a key part of the problem we're facing. I can agree with this premise. Unfortunately, this is a problem that is not as easily addressed. Funding LD 1978, however, is a way to enact a policy that will make it easier for working-class families to make a good life here in Maine and that is good for all of us. I urge you to follow my light.

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

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

The SPEAKER: The Member may proceed.

Representative **RUDNICKI**: So, does this bill actually help Mainers or does it cost Maine taxpayers to bring out-of-staters in?

The SPEAKER: The Representative from Fairfield, Representative Rudnicki, has posed a question through the Chair to anyone who wishes to answer it. The Chair recognizes the Representative from Calais, Representative Perry.

Representative **PERRY**: I could answer the question but I also want to mention that I had a constituent actually ask me about this as her daughter who grew up in my area, who is looking to buy a home but because of her student debt is having trouble with that. She is here as a nurse. We also have teachers who have starting salaries probably equal to the debt that they have got and yet they're going to work teaching our kids. I want them to find a place to stay in their school area and to have the opportunity to own a home. Thirty thousand dollars may not seem like much, but when you're only earning \$30-40,000 a year with a college education and working towards a Masters because your job requires it, this could be the piece that helps brings them forward and keep them in the

area that they are teaching and gives an opportunity for stability within our schools, within our health care. This is not a giveaway but an investment in our workforce and keeping the people who grow up in our area to stay in our area and afford to buy a home.

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

Representative **BICKFORD**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, this is an issue that can be solved by the private sector. Many businesses compete drastically hard to get the best quality employees. In doing that, there are many businesses now that offer to pay your student debt if you're a qualified employee. So, in my mind, it's not a State problem. This is a problem that can be solved by private industry. That's how they compete with one another. If you want to be the best company in the State of Maine, you're going to offer the best benefits and the best pay and those people are going to be able to afford their own homes. Thank you.

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

Representative **LIBBY**: Thank you, Mr. Speaker, Men and Women of the House. My husband and I are both the first college graduates in our families in several generations. When we married, we made the calculated decision for my husband to go back to graduate school for physical therapy. At the time, I worked to pay as much as possible up front while he went to school for his Doctorate at UNE and we took out student loans that we knew that we could pay back. He graduated from college, we bought a teeny-tiny little house in an area that we could afford, we moved from Portland to Auburn and we buckled down to pay off his student debt. Over the next five years, I spent many hours working nights in the local hospital and we ate a lot of peanut butter while using our flip phones and not having a TV. We paid off \$95,000 in debt over five years by living extremely carefully and very close to the bone. I do not want to see my tax dollars going to pay for someone else's house when our family and so many others around our great State have put in just the same kind of effort that myself and my husband have and I ask you to follow my light. Thank you.

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

Representative **BROOKS**: Thank you, Speaker, Women and Men of the House. I rise today in support of the pending motion. This bill provides an opportunity for young and older people to have a place to call home and this represents an opportunity for people to establish and pay back some of the debt that they do owe. I believe with student loans, unfortunately, the fees associated with student loans have become burdensome for people and it's important that we come together and support our young people and people that are returning to the State but to provide opportunity and I think this is a great opportunity and I will be supporting the pending motion.

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

Representative **DUCHARME**: Thank you, Mr. Speaker. The Good Representative from South Berwick mentioned that this was a program that has already been passed by this

House. LD 1709 was a resolve that directed Maine Housing and FAME to come up with a program and I read from the program, the program we propose would be called Maine Smart Buy. LD 1978 is what is trying to be passed. They've created the program, so, you know, there is meat on the bones, if you will, of a framework to do this. However, interestingly, in the final page of the program, the people that are going to do this, FAME and Maine Housing, say we recommend that the Legislature consider appropriating \$1-2 million to try this out as a pilot program. And for \$1-2 million they figure they might be able to serve somewhere around 30 to 50 people. So, the recommendation is a proposal to do this as a pilot program. And I think those of us that have stood in opposition to this, I know I can only speak for myself and perhaps the Good Representative from Caribou, we voted for this resolve in committee and we voted for it here on the floor because we thought that this was a problem. The problem, again, is not the program. The problem is \$10 million. That's the problem. To serve potentially 250 people. That's the problem. Thank you.

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

Representative **QUINT**: Thank you, Mr. Speaker. May I make a small statement and then ask a question?

The SPEAKER: The Member may proceed.

Representative **QUINT**: Thank you. First of all, I, like the Representative from Auburn, my husband and I lived in a very small house until we could afford something more and we saved up for many years. And so, I know what it's like to save for that and I take it very seriously when we're spending taxpayer money for something and so, that leads into what my question is. Who is the authority that chooses the illustrious 250 people who would be receiving this \$10 million? You know, what are the parameters for that and how are they chosen because I'm sure everybody would like to have a piece of that.

The SPEAKER: The Representative from Hodgdon, Representative Quint, 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. 476

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

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Boyle, Bradstreet, Carlow, Carmichael, Collamore, Connor, Copeland, Corey, Costain, Dillingham, Downes, Drinkwater, Ducharme, Faulkingham, Foster, Gifford, Greenwood, Grohoski, Haggan, Hall, Hanley, Hutchins, Javner, Kessler, Kinney, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins,

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

ABSENT - Blume, Cebra, Dolloff, Griffin, Grignon, Harrington, Head, Kryzak, McDonald, O'Neil, Paulhus, Salisbury, Sharpe.

Yes, 73; No, 62; Absent, 13; Vacant, 3; Excused, 0.

73 having voted in the affirmative and 62 voted in the negative, 3 vacancies with 13 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-437)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-437)** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-444)** on Bill "An Act To Maintain Consistency among Maine's Nondiscrimination Statutes" (S.P. 624) (L.D. 1786)

Signed:

Senators:

CARNEY of Cumberland
SANBORN of Cumberland

Representatives:

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

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

Signed:

Senator:

KEIM of Oxford

Representatives:

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

Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (S-444)** Report.

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-444)**.

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**: 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. 477

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

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

ABSENT - Blume, Cebra, Dolloff, Griffin, Grignon, Harrington, Head, Kryzak, McDonald, O'Neil, Ordway, Paulhus, Salisbury, Sharpe, Stearns, Theriault, Tucker.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-444)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-444)** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act To Prohibit Invasion of Privacy on Private Property by Cameras"

(S.P. 665) (L.D. 1895)

Signed:

Senators:

CARNEY of Cumberland
KEIM of Oxford
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner
BABBIDGE of Kennebunk
EVANGELOS of Friendship
HAGGAN of Hampden
LIBBY of Auburn

MORIARTY of Cumberland
POIRIER of Skowhegan
THORNE of Carmel

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-445)** on same Bill.

Signed:

Representatives:

RECKITT of South Portland
SHEEHAN of Biddeford

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

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

READ.

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

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-439)** on Bill "An Act To Modify the Reporting Requirements for Major Contributors to Ballot Question Campaigns"

(S.P. 614) (L.D. 1754)

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

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-439)**.

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 Knox, Representative Kinney.

Representative KINNEY: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We're always talking about wanting to have transparency in our elections and so forth and where money is coming from. And what this amendment is doing is taking in Title 21-A MRSA, Section 1060-A, Subsection 4 and changing from the names of the five largest sources of funds received by a major contributor, we're allowing them to exempt out where those funds actually come from. Currently, they have to disclose where they're getting their funds from and what this will do is actually allow larger corporations to get money to come in and then they don't have to disclose where the money is truly coming from and that reduces transparency in our elections. And so, I urge you to follow my light to vote this motion down. 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. 478

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

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Downes, Drinkwater, Ducharme, Faulkingham, Foster, Gifford, Greenwood, Haggan, Hall, Hanley, Hutchins, Javner, Kinney, Lemelin, Libby, Lyford, Lyman, Martin, Mason, 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, Cebra, Dolloff, Griffin, Grignon, Harrington, Head, Kryzak, McDonald, O'Neil, Paulhus, Salisbury, Sharpe, Theriault.

Yes, 77; No, 57; Absent, 14; Vacant, 3; Excused, 0.

77 having voted in the affirmative and 57 voted in the negative, 3 vacancies with 14 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-439)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-439)** in concurrence.

Seven Members of the Committee on **VETERANS AND LEGAL AFFAIRS** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-441)** on Bill "An Act To Provide for the Direct Shipment of Spirits to Consumers"

(S.P. 444) (L.D. 1358)

Signed:

Senator:

FARRIN of Somerset

Representatives:

CAIAZZO of Scarborough

KINNEY of Knox

McCREIGHT of Harpswell

RIELLY of Westbrook

SUPICA of Bangor

WOOD of Portland

Three Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (S-442)** on same Bill.

Signed:

Senators:

HICKMAN of Kennebec

MIRAMANT of Knox

Representative:

HARRINGTON of Sanford

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

Signed:

Representatives:

COREY of Windham

DOLLOFF of Milton Township

Came from the Senate with Report "A" **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-441)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-441)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-441)** in concurrence.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-826)** on Bill "An Act To Balance Renewable Energy Development with Natural and Working Lands Conservation"

(H.P. 624) (L.D. 856)

Signed:

Senators:

DILL of Penobscot

BLACK of Franklin

MAXMIN of Lincoln

Representatives:

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

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

Signed:

Representative:

UNDERWOOD of Presque Isle

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-826)** 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-826)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Prevent the Use of Prone and Supine Restraints, Chemical Sprays and Electroshock Devices on Juveniles Held in Department of Corrections Facilities"

(H.P. 1404) (L.D. 1897)

Signed:

Senators:

DESCHAMBAULT of York
CYRWAY of Kennebec

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-827)** on same Bill.

Signed:

Representatives:

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

READ.

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

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-825)** on Bill "An Act To Implement Agency Recommendations Relating to Sea Level Rise and Climate Resilience Provided Pursuant to Resolve 2021, Chapter 67"

(H.P. 1465) (L.D. 1970)

Signed:

Senators:

BRENNER of Cumberland
BENNETT of Oxford
CARNEY of Cumberland

Representatives:

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

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

Signed:

Representatives:

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

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-825)** 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-825)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass** on Resolve, Changing the Identifying and Reporting Responsibilities and Extending the Reporting Deadline for the Identification of Places in the State with Offensive Names

(H.P. 1444) (L.D. 1934)

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** Report.

READ.

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

The Resolve was **READ ONCE**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED** and sent for concurrence.

Majority Report of the Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-828)** on Bill "An Act To Address the Economic Impact of Federal Closures on Maine's Fixed Gear Fishing Industry" (EMERGENCY) (H.P. 1405) (L.D. 1898)

Signed:
Senators: MIRAMANT of Knox
MAXMIN of Lincoln

Representatives:
McCREIGHT of Harpswell
BLUME of York
CRAFTS of Newcastle
FAULKINGHAM of Winter Harbor
HEPLER of Woolwich
McDONALD of Stonington
STANLEY of Medway
THORNE of Carmel

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

Signed:
Representatives:
ALLEY of Beals
HUTCHINS of Penobscot

READ.

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

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

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

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

Representative **HUTCHINS**: Thank you, Mr. Speaker. This bill that is being proposed to help lobstermen pay for some of the requirements that are being asked of them, repeatedly is, in my way of thinking, a payment for them to accept the regulations that actually didn't make a lot of sense. A year ago, we changed the requirement for end lines on lobster traps to put colored marks top and bottom. And now NOAA, in its great wisdom, has decided that those aren't appropriate; they need two marks on the top and two marks on the bottom, which no one would've mistaken the others, they all had a purple mark, top and bottom. And if there had been a whale tangled with that particular rope configuration, we would've known it was Maine rope that was doing it. That was the reason that the Commissioner and the Marine Resources came up with that process to prove that Maine does not entangle the Right Whale. NOAA, like I said, in its infinite wisdom, decided that wasn't enough, there was going to have to be a couple of marks top and bottom. That's not something that is just a better idea, that's punishment because there was no denying the other was going to work. Now to get to the amount of money. The reason that I oppose it, and I have two sons that would directly benefit from the extra money from it and I've told them that I would vote against it so they know I'm going to, I would actually feel almost, if I was in favor of this, that I would have to recuse myself because my two sons would directly benefit from this. But the reason, again, that I am opposed to this is it is a payoff. The next round we're supposed to have another reduction of end lines in an area where whales are not molested, to use some fishing language. And then in another year or so, we're supposed to have 98% reduction, which would mean probably having to have an electronic device in the trap that could be released when the fishermen came over because they can go back to the place where they put their traps in and push a button and the buoy would come up. Of course, many people are fishing and my son's fish in 600 feet of water much of the time, so, the question as to whether that will ever work and of course, because there was no end line, the other fishermen that fish around them didn't know where they laid their trap and so the other fishermen, perhaps, are now going to lay their string of 40 traps across someone else. And they have to put a 1700-pound breakaway in it. Again, I say NOAA isn't concerned about the Right Whale because they didn't stop flights over Maine because they can't find the Right Whale off Maine, Maine is just a pass-by for the whale, they're not feeding here, not mating here, so, it's a pass-by, it's why they don't get entangled here.

And so, my point is we give them this payment as a nice pat on the back that, you know, we're trying to help you out but what are the next two or three payments going to have to be when they reach the point where there's no possible way for them to fish anymore in an area that has the most lobsters of anyplace in the world. It is the place called Vacationland because of lobster. Something like 80% of the people that come to Maine on vacation never get past the town of Rockland or Rockport. That's because of lobster. And this type of regulation that is telling them that you've got to swallow this because we know what's best is the same thing that's going to happen with offshore wind doing the same thing taking

its place. I won't belabor that point because I need to speak to this particular issue and I thank you very much, Mr. Speaker.

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

Representative **TUELL**: Thank you, Mr. Speaker. I also rise in opposition to this motion.

And that may sound funny coming from one of the lobster-rich parts of this State way down east. But I do and I do for many reasons. Served on Marine Resources for six years and have the utmost respect for the Representative from Harpswell, all of my former fellow committee members. I know they put a lot of work into this bill and I know they support the lobster industry, every one of them, including the Representative from Penobscot and Beals who happen to go the other way. But I rise in opposition on this for a number of reasons. The first reason is the lobster industry and the State of Maine are in the midst of litigation for their very survival of the industry. We're in court, we are waging a war, a war that we have one choice; win or die. That's our choice. At the same time, bills like this, as well-intended as they are, only serve to muddy that message. Where in court, we're fighting, lobstermen don't want to surrender. I've had every lobsterman I can think of say don't surrender, don't give up. And when I say that we're considering this bill to help you guys comply with the new regulations, they say that kind of undercuts our case. Here we are fighting in court to get these regulations turned aside and we're now copping a deal, we're bailing out. I respect Commissioner Keliher but I disagree with him on that statement. This is a bailout and it is a surrender. You can't fight a court case and at the same time give money to the fishing industry to accept the results of what these regulations are.

So, even if all that is true, even if you could do that, here's what I would rather do instead. I say we fight the court case, there's other legislation to do that, to support that. I won't speak on it today but I say let's all support that. Let's go through the courts. If at the end of the day we lose, then we sue the feds for every dime they cost the fishing industry. If we lose that, then and only then does the State of Maine give the lobstering industry whatever it costs, not the \$30 million today and another \$30 million next year when the regulations change again, etcetera, etcetera. This is admitting defeat before we've even finished the court case, the whole thing. And I would say if people want to admit defeat and I don't think we do, then we don't fight the court cases. We stop the Attorney General, we don't put any other legislation forward and we just give the fishermen the money and go on our merry way. That isn't going to work and I don't think the fishermen want us to do that. So, I vehemently and strongly oppose this legislation, not the intent behind it but the legislation itself and I will definitely be voting red for lobster. Thank you, Mr. Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Boothbay, Representative Stover.

Representative **STOVER**: Thank you, Mr. Speaker and Men and Women of the House. I rise today in support of the pending motion and in support of Maine's lobster industry. Maine's lobster industry represents a significant percentage of Maine's economy and also, more importantly, Maine's culture, Maine's identity and heritage. The federal rule changes and subsequent closure of federal waters has created a fiscal crisis

for an industry that is an economic driver in the State. The funding proposed under this bill will not replace but will complement and supplement any federal relief that we may see that will be made available. The cost of required replacement gear is burdensome to an industry that is nimble and has had to rise to meet many challenges and changes to meet the regulatory requirements imposed by federal rule changes that have impacted Maine's commercial fishing industry. This bill allows the industry that is in crisis to continue to operate despite regulatory changes that have been imposed and are deeply affecting Maine's lobstermen. Thank you.

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

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

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

Representative **KINNEY**: Thank you. I'm curious if there's a pending lawsuit opposing this federal rule for our lobstermen and whether or not this funding would then almost be an admittance that we agree with the changes and then there's also another question I was wondering if the federal government is sending any money our way to help with this new law change. Thank you.

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 Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: I didn't exactly catch all those questions, but I rise in support of the pending motion. I appreciate the sentiments of the Representative from East Machias and the Representative from Penobscot. But these rules, whether we are adamantly opposed to them or not, are taking effect. The rules that this bill is addressing are taking effect May 1st. We basically have to replace, I'm speaking as a fisherman now, the fishermen need to replace all of their end lines by May 1st, that's the deadline that's been set out and that's going to cost fishermen about \$20-30 to comply with these new rules and this bill is addressed at the economic impact of that and I think it's been stated clearly enough the economic impact that lobstering has on the State of Maine. Whenever people hear about the State of Maine or the lobster, the two are intertwined together. People from all over the world recognize when you say Maine, they say the lobster or when you say lobster, they say Maine. It brings people up here for tourism and it's a huge economic driver to our State, over a billion-dollar industry and we're going to be, as fishermen, I know Sherm's got two sons, we're going to be hurting for the money to comply with those rope regulations and whether we like it or not, those deadlines and those regulations aren't changing, they're coming from the federal government and that's going to be a cost that's put on us, an unnecessary cost, but it's coming regardless and I'm in favor of the pending motion.

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

Representative **HUTCHINS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I actually rose to answer the question that the litigations are still going to be ongoing and I think one of the things that we need to take into consideration

when we're talking about the lobster industry, the State of Maine for many decades, over a hundred years, has been doing a great job with the lobster industry and working with State government, federal government. And, at this point, we are actually suing the federal government for what we consider overstepping their bounds with local fishing industry that we have done a good job of controlling in this State. And when you've got one government agency suing another government agency, that is the definition of too much government. Thank you.

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

Representative **MC CREIGHT**: Thank you, Mr. Speaker. In response to some of the comments made, I particularly want to thank the Representative from Machias for his kind words and my only regret is he's no longer on the Marine Resources Committee. I don't know if he feels the same way. I think the fact that there are multiple suits around this issue means that we need to fight. The fact that we need to fight means that we need to continue to fight, we're not stopping. This is affecting our State. The fact that the evidence is not there that the lobster fishery is causing the problem is one of the frustrations that we all feel. We're working to correct the science, we're working to correct the rules. We're also working on technology as we go forward, but it's not there yet. So, we need to continue to fight, we need to support our fishermen and this bill does exactly that. And I'll be voting green in support of lobsters before they're cooked.

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

Representative **TUELL**: Thank you, Mr. Speaker. I'm rising to answer a couple of the questions from the Representative from Knox. The first is, as has been noted, yes, there are several lawsuits ongoing. I have a feeling there will be additional lawsuits going forward if additional rules should be adopted. The second question is to the federal government. Last week, the United States Congress approved a package of funding which provides \$17 million to the lobster fishery to comply with these rules. So, now we're asking for \$30 million and I guess the confusion is Maine is not responsible for this, the federal government is responsible for this. If anybody is going to pay for it, it should be the federal government and they have committed \$17 million, Senator Collins and I believe King, I believe the whole delegation did a press announcement last week that this money was approved through the 1.2 trillion-ish dollar bill that was passed through Congress last week. So, I would say that if there is any need for money, it's on its way. I also would question the Department of Marine Resources, which has a relatively small budget by comparison to other departments in the State is now going to administer a program that's \$30 million when its own budget isn't or may be just right around \$30 million. That's quite a bit of capacity to have to manage and I question whether they can do it and get the money where it needs to go and provide enough oversight that everybody wants to have yet still get it to the fishermen. Thank you, Mr. Speaker.

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

Representative **FAULKINGHAM**: I apologize for rising a second time but I have received a note and several text messages about what I said earlier and I believe I said that it would cost fishermen \$20 or \$30. The correct figure was \$20-30,000, is what I meant to say. There's a big difference there. So, I wanted to get that on the record and also just add that this bill incorporates a funding mechanism that makes sure that it gets to the fishermen that are impacted the most by this, so, it's a very targeted funding mechanism incorporated here. 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. 479

YEA - Andrews, Arata, Arford, Austin, Babbidge, Bell, Berry, Bickford, Blier, Boyle, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carlow, Carmichael, Cloutier, Collamore, Collings, Connor, Copeland, Corey, Costain, Crafts, Craven, Crockett, Cuddy, Dillingham, Dodge, Doudera, Downes, Drinkwater, Ducharme, Dunphy, Evangelos, Evans, Faulkingham, Fay, Geiger, Gere, Gramlich, Grohoski, Haggan, Hall, Hanley, Harnett, Hasenfus, Hepler, Hymanson, Kessler, Landry, LaRochelle, Lemelin, Libby, Lookner, Lyman, Madigan, Martin J, Martin R, Martin T, Mason, Mathieson, Matlack, McCrea, McCreight, Melaragno, Meyer, Millett H, Millett R, Morales, Moriarty, Morris, Nadeau, O'Connell, O'Connor, Ordway, Osher, Parry, Pebworth, Perry A, Perry J, Pierce, Pluecker, Poirier, Prescott, Quint, Rielly, Riseman, Roberts, Roche, Roeder, Rudnicki, Sachs, Sheehan, Skolfield, Stearns, Stover, Supica, Sylvester, Tabbot Ross, Tepler, Terry, Thorne, Tucker, Underwood, Wadsworth, Warren C, Warren S, White B, White D, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Alley, Bernard, Bradstreet, Foster, Gifford, Greenwood, Hutchins, Javner, Kinney, Lyford, Newman, Perkins, Pickett, Reckitt, Sampson, Stanley, Stetkis, Tuell.

ABSENT - Blume, Cebra, Dolloff, Griffin, Grignon, Harrington, Head, Kryzak, McDonald, O'Neil, Paulhus, Salisbury, Sharpe, Theriault.

Yes, 116; No, 18; Absent, 14; Vacant, 3; Excused, 0.

116 having voted in the affirmative and 18 voted in the negative, 3 vacancies with 14 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-828)** 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-828)** and sent for concurrence.

CONSENT CALENDAR

First Day

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

(H.P. 1276) (L.D. 1721) Bill "An Act Regarding Dignity for Women in Correctional Facilities" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-824)**

(H.P. 1378) (L.D. 1868) Bill "An Act To Restore Funding to the State's Tobacco Prevention and Control Program" (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-822)**

(H.P. 1454) (L.D. 1951) Bill "An Act Related to Hunting Dogs and Civil Trespass" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-823)**

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

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

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

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

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

(H.P. 1491) (L.D. 2005) Bill "An Act Regarding the Reapportionment of the Knox County Budget Committee Districts" (EMERGENCY) Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

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

There being no objection, the House Paper was **PASSED TO BE ENGROSSED** and sent for concurrence.

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

(S.P. 640) (L.D. 1813) Bill "An Act To Amend the Definition of 'Oversized ATV' To Increase the Minimum Weight Requirement" (EMERGENCY) Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-452)**

(S.P. 698) (L.D. 1960) Bill "An Act To Make Changes to the Laws Governing the Child Welfare Services Ombudsman Program" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-453)**

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.

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment, Tuesday, March 22, 2022 had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Resolve, Regarding Legislative Review of Portions of Chapter 132: Learning Results: Parameters for Essential Instruction, a Major Substantive Rule of the Department of Education (EMERGENCY)

(H.P. 1441) (L.D. 1932)

TABLED - March 22, 2022 (Till Later Today) by Representative DUNPHY of Old Town.

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

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

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

ROLL CALL NO. 480

YEA - Alley, Andrews, Arata, Arford, Austin, Babbidge, Bell, Bernard, Berry, Bickford, Blier, Boyle, Bradstreet, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carlow, Carmichael, Cloutier, Collamore, Collings, Connor, Copeland, Corey, Costain, Crafts, Craven, Crockett, Cuddy, Dillingham, Dodge, Doudera, Downes, Drinkwater, Ducharme, Dunphy, Evangelos, Evans, Faulkingham, Fay, Foster, Geiger, Gere, Gifford, Gramlich, Greenwood, Grohoski, Haggan, Hall, Hanley, Harnett, Hasenfus, Hepler, Hutchins, Hymanson, Javner, Kessler, Kinney, Landry, LaRochelle, Lemelin, Libby, Lookner, Lyford, Lyman, Madigan, Martin J, Martin R, Martin T, Mason, Mathieson, Matlack, McCrea, McCreight, Melaragno, Meyer, Millett H, Millett R, Morales, Moriarty, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Osher, Parry, Pebworth, Perkins, Perry A, Perry J, Pickett, Pierce, Pluecker, Poirier, Prescott, Quint, Reckitt, Rielly, Riseman, Roberts, Roche, Roeder, Rudnicki, Sachs, Sampson, Sheehan, Skolfield, Stanley, Stearns, Stetkis, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Theriault, Thorne, Tucker, Tuell, Underwood, Wadsworth, Warren C, Warren S, White B, White D, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - .

ABSENT - Blume, Cebra, Dolloff, Griffin, Grignon, Harrington, Head, Kryzak, McDonald, O'Neil, Paulhus, Salisbury, Sharpe.

Yes, 135; No, 0; Absent, 13; Vacant, 3; Excused, 0.

135 having voted in the affirmative and 0 voted in the negative, 3 vacancies with 13 being absent, and accordingly the Resolve was **FINALLY PASSED** and sent for concurrence.

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

ENACTORS

Emergency Measure

An Act To Expand the 1998 Special Retirement Plan To Include Employees Who Work for the Office of Chief Medical Examiner

(S.P. 601) (L.D. 1746)

(C. "A" S-424)

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

Representative SYLVESTER of Portland moved that the House **RECONSIDER** its action whereby the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-424)**.

On further motion of same Representative the House **RECONSIDERED ADOPTION of Committee Amendment "A" (S-424)**.

On motion of Representative SYLVESTER of Portland, **TABLED** pending **ADOPTION of Committee Amendment "A" (S-424)** and later today assigned.

Emergency Measure

An Act To Amend the Enforcement Provisions of the Law Governing Earned Paid Leave

(H.P. 1356) (L.D. 1823)
(C. "A" H-780)

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

On motion of Representative MILLETT of Cape Elizabeth, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED** as Amended by **Committee Amendment "A" (H-780)**.

The same Representative **PRESENTED House Amendment "A" (H-831)** which was **READ** by the Clerk.

On motion of Representative MILLETT of Cape Elizabeth, **TABLED** pending **ADOPTION** of **House Amendment "A" (H-831)** and later today assigned.

Emergency Measure

An Act To Fix Inconsistencies within the Sex Offender Registration and Notification Act of 2013

(S.P. 689) (L.D. 1953)

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. 128 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 and Continue the Work of the Criminal Records Review Committee

(H.P. 1351) (L.D. 1818)
(C. "A" H-782)

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

On motion of Representative HARNETT of Gardiner, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED** as Amended by **Committee Amendment "A" (H-782)**.

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

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-782)** was **ADOPTED**.

On motion of Representative HARNETT of Gardiner, **TABLED** pending **ADOPTION** of **Committee Amendment "A" (H-782)** and later today assigned.

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

An Act To Amend the Enforcement Provisions of the Law Governing Earned Paid Leave (EMERGENCY)

(H.P. 1356) (L.D. 1823)
(C. "A" H-780)

Which was **TABLED** by Representative MILLETT of Cape Elizabeth pending **ADOPTION** of **House Amendment "A" (H-831)**.

Subsequently, **House Amendment "A" (H-831)** was **ADOPTED**.

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

Representative **DILLINGHAM**: Thank you, Mr. Speaker. So, just for clarification for the Body, the position of this bill, what we have done is actually remove the emergency preamble and that's the status we find it in going forward.

The **SPEAKER**: The Chair would answer in the affirmative. The emergency preamble has been removed from the bill. It will now be sent back to the Senate. It will come back to the House for enactment and then back to the Senate for enactment. The Chair is in error. It will go back to the Senate in nonconcurrency.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-780)** and **House Amendment "A" (H-831)** in **NON-CONCURRENCE** and sent for concurrence.

Emergency Measure

Resolve, Regarding Legislative Review of Portions 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

(H.P. 1374) (L.D. 1864)
(C. "A" H-783)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 102 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, To Address Perfluoroalkyl and Polyfluoroalkyl Substances Pollution at State-owned Solid Waste Landfills

(H.P. 1385) (L.D. 1875)
(C. "A" H-802)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 109 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, Directing the Department of Health and Human Services To Review the Requirements for Certification of Micropigmentation Practitioners

(H.P. 1392) (L.D. 1882)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 109 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Measure

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

(H.P. 1440) (L.D. 1931)

(C. "A" H-804)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 114 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Establish the Maine State Cemetery Preservation Commission

(S.P. 167) (L.D. 379)

(C. "A" S-450)

An Act Regarding Penalties for Early Retirement for Certain Members of the Maine Public Employees Retirement System

(H.P. 393) (L.D. 548)

(C. "A" H-785)

An Act To Require Dental Plan Medical Loss Ratio Reporting and Review

(S.P. 417) (L.D. 1266)

(C. "A" S-438)

An Act To Increase Campaign Finance Transparency and Accountability in Municipal Elections

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

(C. "A" H-793)

An Act To Make Technical Changes to Maine Tax Laws

(H.P. 1308) (L.D. 1757)

(C. "A" H-787)

An Act Regarding Access to Telehealth Behavioral Health Services during Public Health Emergencies

(H.P. 1309) (L.D. 1758)

An Act To Amend the Inspection Requirement for Facilities for Children and Adults with a National Accreditation

(H.P. 1312) (L.D. 1761)

An Act To Amend the Law Regarding Expiration of Disability Plates and Placards and Fees for Recycler Licenses

(H.P. 1313) (L.D. 1762)

An Act To Support Child Care for Working Families

(H.P. 1316) (L.D. 1765)

An Act To Align the Child and Family Services and Child Protection Act with Federal Law

(H.P. 1320) (L.D. 1769)

An Act To Protect Election Integrity by Regulating Possession of Ballots and Voting Machines and Devices

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

(C. "A" H-791)

An Act To Support Employees of the Riverview Psychiatric Center and the Dorothea Dix Psychiatric Center, Including the Riverview Psychiatric Center Outpatient Services Team and the Dorothea Dix Psychiatric Center Outpatient Services Team

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

(C. "A" H-777)

An Act To Amend the Requirements of the Reorganization Plan for the Formation of Regional School Units

(H.P. 1343) (L.D. 1802)

(C. "A" H-805)

An Act To Improve Student Access to Postsecondary School Transcripts and Diplomas

(S.P. 656) (L.D. 1838)

(C. "A" S-426)

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

(H.P. 1364) (L.D. 1843)

(C. "A" H-798)

An Act To Increase the Availability of Assertive Community Treatment Services

(H.P. 1369) (L.D. 1848)

(C. "A" H-799)

An Act To Clarify Inspection Requirements for Hospitals and Certain Nursing Facilities

(H.P. 1370) (L.D. 1849)

(C. "A" H-794)

An Act To Establish the Maine Emergency Medical Services Community Grant Program

(S.P. 645) (L.D. 1859)

(C. "A" S-446)

An Act Regarding the Maine School Safety Center

(H.P. 1380) (L.D. 1870)

(C. "A" H-790)

An Act Related to Airboats

(H.P. 1383) (L.D. 1873)

(C. "A" H-795)

An Act To Update the Setoffs against Lottery Winnings

(H.P. 1393) (L.D. 1883)

(C. "A" H-800)

An Act To Establish the Securities Restitution Assistance Fund for Victims of Securities Violations

(H.P. 1397) (L.D. 1887)

(C. "A" H-801)

An Act To Continue Supporting Safe Drinking Water for Maine Families

(H.P. 1401) (L.D. 1891)

(C. "A" H-796)

An Act To Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2023

(H.P. 1403) (L.D. 1892)

(C. "A" H-797)

An Act Regarding the Use of a Student Athlete's Name, Image, Likeness or Autograph

(S.P. 663) (L.D. 1893)

(C. "A" S-427)

An Act To Allow Heating Fuel and Motor Vehicle Fuel Customers To Opt Out of Paper Delivery Tickets

(S.P. 666) (L.D. 1896)

(C. "A" S-451)

An Act To Amend Syringe Service Programs
(H.P. 1415) (L.D. 1909)
(C. "A" H-784)

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)
(C. "A" H-792)

An Act To Enact the Interstate Counseling Compact To
Address Inequities in Access to Clinical Counseling Services
and Increase Maine's Provider Workforce
(H.P. 1427) (L.D. 1920)
(C. "A" H-779)

An Act To Amend Certain Laws Pertaining to the Maine
Public Employees Retirement System
(H.P. 1430) (L.D. 1922)
(C. "A" H-786)

An Act To Expand Access to Justice in Rural Maine
through Legal Education
(S.P. 679) (L.D. 1924)
(C. "A" S-448)

An Act To Provide Assistance to Areas Severely Infested
with Browntail Moths
(H.P. 1436) (L.D. 1929)
(S. "A" S-436 to C. "A" H-772)

An Act To Promote Electronic Filing of State Agency and
Legislative Committee Publications
(H.P. 1452) (L.D. 1947)

An Act To Amend the Caribou Utilities District Charter To
Include Broadband Services
(S.P. 686) (L.D. 1949)

An Act To Amend the Charter of the Gray Water District
(S.P. 704) (L.D. 1967)

An Act To Establish and Fund the Maine Climate Corps
Program Pursuant to Recommendations in the Report
Required by Resolve 2021, Chapter 25
(S.P. 706) (L.D. 1974)
(C. "A" S-440)

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

Resolves

Resolve, To Direct the Department of Agriculture,
Conservation and Forestry To Develop Recommendations
Regarding Nonwater-dependent Floating Structures on Maine's
Waters
(H.P. 462) (L.D. 626)
(C. "A" H-803)

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

An Act To Improve the Educational Opportunity Tax
Credit
(S.P. 70) (L.D. 798)
(C. "A" S-449)

Was reported by the Committee on **Engrossed Bills** as
truly and strictly engrossed.
On motion of Representative DUNPHY of Old Town, was
SET ASIDE.
The same Representative **REQUESTED** a roll call on
PASSAGE TO BE ENACTED.

More than one-fifth of the members present expressed a
desire for a roll call which was ordered.
The SPEAKER: A roll call has been ordered. The pending
question before the House is on Passage to be Enacted. All
those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 481

YEA - Alley, Arata, Arford, Austin, Babbidge, Bell,
Bernard, Berry, Bickford, Blier, Boyle, Bradstreet, Brennan,
Brooks, Bryant, Caiazzo, Cardone, Carlow, Carmichael,
Cloutier, Collamore, Collings, Connor, Copeland, Corey,
Costain, Crafts, Craven, Crockett, Cuddy, Dillingham, Dodge,
Doudera, Downes, Drinkwater, Ducharme, Dunphy,
Evangelos, Evans, Faulkingham, Fay, Foster, Geiger, Gere,
Gifford, Gramlich, Greenwood, Grohoski, Hall, Hanley, Harnett,
Hasenfus, Hepler, Hutchins, Hymanson, Javner, Kessler,
Kinney, Landry, LaRochelle, Lemelin, Lookner, Lyford, Lyman,
Martin J, Martin R, Martin T, Mason, Mathieson, Matlack,
McCrea, McCreight, Melaragno, Meyer, Millett H, Millett R,
Morales, Moriarty, Morris, Newman, O'Connell, O'Connor,
Ordway, Osher, Parry, Pebworth, Perkins, Perry A, Perry J,
Pickett, Pierce, Pluecker, Poirier, Quint, Reckitt, Rielly,
Riseman, Roche, Roeder, Sachs, Sampson, Sheehan,
Skolfield, Stanley, Stearns, Stetkis, Stover, Supica, Sylvester,
Talbot Ross, Tepler, Terry, Thorne, Tucker, Tuell, Underwood,
Wadsworth, Warren C, Warren S, White B, White D, Williams,
Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Rudnicki.

ABSENT - Blume, Cebra, Dolloff, Griffin, Grignon,
Haggan, Harrington, Head, Kryzak, Libby, Madigan, McDonald,
Nadeau, O'Neil, Paulhus, Prescott, Roberts, Salisbury, Sharpe,
Therault.

Yes, 126; No, 2; Absent, 20; Vacant, 3; Excused, 0.

126 having voted in the affirmative and 2 voted in the
negative, 3 vacancies with 20 being absent, and accordingly
the Bill was **PASSED TO BE ENACTED**, signed by the
Speaker and sent to the Senate.

An Act Relating to the Valuation of Improved Real
Property
(H.P. 807) (L.D. 1129)
(C. "A" H-788)

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

On motion of Representative BICKFORD of Auburn, was
SET ASIDE.

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

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

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

Representative **BICKFORD**: Thank you, Mr. Speaker.
Mr. Speaker, Ladies and Gentlemen of the House, this bill
attempts to solve a litigation issue through legislation that
would trample a taxpayer's ability to challenge certain
assessments. The bill automatically favors the municipality at
the expense of the property taxpayer's right. The amendment
to LD 1129 will impact all improved property in Maine, including
residential. So, to continue to portray this as a dark stores bill
is not accurate. This is an attempt by municipalities to stop
companies from challenging their assessment because they
deem the process to be too costly. Let me be clear; this
legislation will not stop litigation. In fact, it could have

unintended consequences and is probably unconstitutional. You can't stop someone from appealing a property tax assessment. Taxpayers have the right to appeal. Imagine a world where the assessor has the final say and taxpayers have to accept their determination no matter what. Assessors should have the ability to consider the specific components of a property in determining valuation. If they can't, constitutional issues may arise. The valuation of real property is a complex issue that's intricately woven with Maine's constitutional mandate that all taxes be apportioned evenly according to just value. This legislation deviates substantially from judicial precedence because it prohibits an assessor from being able to consider issues like deed restrictions, easements and encumbrances, potentially including zoning restrictions when valuing similar property 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 valuation methodology to all property as required by the Constitution.

The amendment to 1129 attempts but does not succeed to codify judicial precedence from a 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 valuing 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. Mr. Speaker, there is nothing that I'm aware of that would currently prevent a municipality from requesting in a judgment should they win their case from asking to recoup their legal fees. If this is about that, they have avenues they can take. I urge you to follow my light and vote no on this amended bill.

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

Representative **MATLACK**: Thank you, Mr. Speaker. Mr. Speaker, this does not preclude any property owner from adding deed covenants. It does not preclude municipalities from looking at other properties as being suitable comparables when they assess a piece of property. What this does is say that if you have a brand-new store and you are determined to use, as a comparable, a piece of property that's entailed so that it cannot operate to its highest and best use, then it should not be compared. As I explained to you before, people have been appalled when they have found out that big box stores will use this as a way to lower their tax rates and shift their burden over onto the residents rather than accepting their costs for fire and police and sewer and everything else. By allowing big box stores to include encumbered properties as comparables, it means that they are allowed to say that their

big, brand-new store is equal to a closed store or one that has not been used for several years. It does not preclude anybody, any property owner, from moving ahead with whatever changes that they want to make but they just can't compare an encumbered piece of property with one without encumbrances. Thank you.

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

Representative **TERRY**: Thank you, Mr. Speaker. Mr. Speaker, as I had mentioned before, the tax assessors asked us for this bill. They asked us to give them the tool that they needed to value these properties properly. They helped write the bill, they helped weed out all of the pros and cons of it, they were the ones that are asking for this. It will not tie their hands, it will not give them tools that they don't need. As far as current litigation goes, this bill is going forward only, so, it should not encumber anybody, it should not derail anybody from making court cases from the past happen. It's for going forward only after our statutory adjournment. It does not impact residential properties, it's for commercial properties only. I urge you to enact this bill. It's something that the tax assessors really, really want. Thank you.

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

Representative **BICKFORD**: Thank you, Mr. Speaker. I just want to read the amended version for you. This amendment changes the application of the bill from retail sales facilities to improved real property and clarifies the factors that may be considered must be considered in the valuation process. This is not only for retail locations. And you have a value, your value is based on the property in its condition on April 1st. So, if that retail store may close December 1st, they cannot go back to that prior year and say well, we were closed half the year. That doesn't matter because April 1st, as we all know, is when valuations are done. Mr. Speaker, please follow my light.

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

ROLL CALL NO. 482

YEA - Alley, Arford, Babbidge, Bell, Berry, Boyle, Brennan, 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, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, Osher, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roeder, Sachs, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

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

ABSENT - Blume, Cebra, Dolloff, Griffin, Grignon, Haggan, Harrington, Head, Kryzak, Madigan, McDonald, Nadeau, O'Neil, Paulhus, Prescott, Roberts, Salisbury, Sharpe, Theriault.

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

76 having voted in the affirmative and 53 voted in the negative, 3 vacancies with 19 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

An Act To Update Certain Water Quality Standards and To Reclassify Certain Waters of the State

(S.P. 690) (L.D. 1964)
(C. "A" S-447)

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

On motion of Representative TUCKER of Brunswick, was **SET ASIDE**.

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

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

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

Representative **TUCKER**: Mr. Speaker, this is the 50th anniversary of the Federal Clean Water Act. Every three years, the Maine's Bureau of Environmental Protection reviews the water quality of all our rivers and streams. This bill today adopts changes in the ratings of various waters and what they have achieved. This enactment vote marks a good time to pause in order to note and celebrate the 50-year success of the Clean Water Act and the ongoing cleanup of Maine's rivers. The Clean Water Act was enacted in 1972. This Act was guided into law by Senator Edmund Muskie over President Nixon's veto. Senator Muskie had grown up in Rumford along the Androscoggin River and knew its condition. He sat in this House Chamber for four years, from 1946 to 1951. By the early 1960s, Muskie's Androscoggin had become one of the most severely polluted rivers in the United States. Large rafts of thick, white foam would cover portions of the river. Danger signs said danger, polluted water, not fit for swimming or drinking. Dissolved oxygen levels in the river from Berlin, New Hampshire to Brunswick frequently reached zero during the summer, resulting in the death of virtually all fish and other aquatic life in the river. Other Maine rivers suffered similar insults. Raw sewage and industrial waste were discharged into the rivers without treatment.

The Clean Water Act provided the federal funding and the authority for river cleanup, supplemented by Maine's own Water Quality Law in a federal-state relationship. Now, Maine has some of the best water quality in the country. Discharges are now treated with a high level of competence. In this Statute before you, 14 streams have achieved an upgrade from A to AA, the very cleanest and 10 have achieved an upgrade from B to A. Notably, this bill also marks the change from Class C up to Class B, a higher water quality, for a major stretch of the lower Androscoggin River. This is a big deal. This stretch runs from the Worumbo Dam in Lisbon, downriver to Brunswick and Merrymeeting Bay. Three years ago, the 129th Legislature noted a similar achievement for the stem of the Penobscot. Twenty-five years ago, in 1987, 26% of

Maine's rivers and streams were A or AA, the highest water quality. This year, it has doubled to 53%. Twenty-five years ago, 12% of our rivers and streams were classified as C, our lowest class. This year, only 1%. As noted by Brian Kavanah, Director of the Bureau of Water Quality, I'll quote him, we can measure these dramatic improvements and we can see them with our own eyes. We can sense them. Maine towns are embracing our rivers as the great natural resources that they are. We celebrate them in festivals and activities in and on the water. Restaurants and bars have built decks where people gather to watch eagles fly and fish jump. Now parents bring their children to the waters to revel in their beauty.

So, this vote today, my friends and colleagues, is a tribute to Senator Muskie and the success of the Clean Water Act. Our State can tackle seemingly impossible tasks if we set our minds to it. Now, with your permission, I'd like to now extend our heartfelt thank you to those Mainers who helped clean up Maine's rivers over the last 50 years. To those who built and operate Maine's water treatment plants, both private and public, that line our rivers. Also to those who turn the wrenches, dig the trenches and rake the muck. Our thanks to senators and dump truck drivers, architects and planners and papermill managers, draftsmen, civil servants and surveyors, backhoe operators and bricklayers, laborers and cement truck drivers, millwrights and carpenters and sheet mill workers, paper machine operators and actuaries, mill engineers and secretaries, waste water operators and sewer managers, citizen trustees and all their workers, waste and trash haulers and public works workers. And, if you will please forgive me, I have just a few more I didn't want to leave out; pipefitters, plumbers and crane operators, mechanics and lawyers, and bulldozer drivers, town officials and local town planners, citizen watchdogs and volunteer testers, papermill chemists and electricians, welders and bankers and lab technicians, civil engineers and sewer builders, accountants, ditch diggers and septic installers. Today, we salute you all for astonishing progress in cleaning our waters. Looking forward, as we get better and better at stopping pollution of our rivers and streams, we now have a resulting problem; what do we do with over 100,000 tons per year of human waste and chemicals we flush down our toilets plus a comparable amount of industrial waste? What do we do with the stuff we used to dump in the river? If we apply the same resolve and creativity to this increasing problem, I'm sure this also can be solved. Please enact LD 1964. Thank you.

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 was nervous for a minute, I kept waiting for the Good Representative from Brunswick to mention pipefitters, but he finally did, so, I'm relieved at that. I have lived in Gardiner, born and raised in Gardiner on the Kennebec River and Cobbossee Stream and I can remember Cobbossee Stream changing colors because of the S.D. Warren Paper Mill that was on that stream. I can remember the river being covered with things you just can't describe, it was an odd thing to watch and smell and the value of property anywhere along the Kennebec, they would give you land. It had no value. Thank goodness this has changed. So, all my life, I've lived in this area and lived along that river in the

Merrymeeting Bay area. I've hunted duck every year of my life since I was 14 until last year in Merrymeeting Bay and the changes are dramatic and wonderful. I now own a home with a dock and a boat on the Kennebec River and every day during the summer, every evening, almost every evening, my wife and I take a walk down over the hill and get in that boat and take a ride along that river and it is remarkable. Sometimes, government does it right. Not always. But this time, we did and what a wonderful thing and I thank the Good Representative for his long description of the good things that happened. Thank you, Mr. Speaker.

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

Representative **MARTIN**: Thank you, Mr. Speaker. I can't help but point out that I was there when Senator Muskie was doing that work on the waterway. I was a lot younger than I am today, obviously. And I remember the discussions that took place between industry and him and how he was able to work with them and put it together. And without a doubt, that's one of our greatest moments in our history.

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

Representative **SKOLFIELD**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I grew up in a town close to Rumford. I was actually born in Rumford but I immediately went home to be with my mother in Weld. And I remember as a young man, Rumford was a beautiful town but it had a lousy river running through it. And I remember an old fellow once said and he said you know, the Androscoggin can now support fish and another old guy said well, I can remember when it could support trucks. So, you know, Mr. Speaker, I think it's remarkable what we've done and I just want to echo what others have said before me. Thank you, Mr. Speaker.

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

Representative **BERRY**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House, I just want to add my voice simply to say that in addition to all the wonderful folks that were involved that were thanked by the Representative from Brunswick, there's a particular group that's based in Bowdoinham but they come from all over and they are the water testers, to whom you referred, organized by, among others, the Friends of Merrymeeting Bay, which has been monitoring the lower Androscoggin which with this act we would upgrade since 1999 and first proposed this increase to the standard in 2008, to my knowledge. This is a momentous occasion. I thank the committee for their good and unanimous work and I look forward to the day when that section of the river is Class B. Thank you.

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

ROLL CALL NO. 483

YEA - Alley, Andrews, Arata, Arford, Austin, Babbidge, Bell, Bernard, Berry, Bickford, Blier, Boyle, Bradstreet, Brennan, Brooks, Bryant, Caiazza, Cardone, Carlow, Carmichael, Cloutier, Collamore, Collings, Connor, Copeland, Corey, Costain, Crafts, Craven, Crockett, Cuddy, Dillingham, Dodge, Doudera, Downes, Drinkwater, Ducharme, Dunphy, Evangelos, Evans, Faulkingham, Fay, Foster, Geiger, Gere, Gifford, Gramlich, Greenwood, Grohoski, Hall, Hanley, Harnett,

Hasenfus, Hepler, Hutchins, Hymanson, Javner, Kessler, Kinney, Landry, LaRochelle, Lemelin, Libby, Lookner, Lyford, Lyman, Martin J, Martin R, Martin T, Mason, Mathieson, Matlack, McCrea, McCreight, Melaragno, Meyer, Millett H, Millett R, Morales, Moriarty, Morris, Newman, O'Connell, O'Connor, Ordway, Osher, Parry, Pebworth, Perkins, Perry A, Perry J, Pickett, Pierce, Pluecker, Poirier, Quint, Reckitt, Rielly, Riseman, Roche, Roeder, Rudnicki, Sachs, Sampson, Sheehan, Skolfield, Stanley, Stearns, Stetkis, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Thorne, Tucker, Tuell, Underwood, Wadsworth, Warren C, Warren S, White B, White D, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - .

ABSENT - Blume, Cebra, Dolloff, Griffin, Grignon, Haggan, Harrington, Head, Kryzak, Madigan, McDonald, Nadeau, O'Neil, Paulhus, Prescott, Roberts, Salisbury, Sharpe, Theriault.

Yes, 129; No, 0; Absent, 19; Vacant, 3; Excused, 0.

129 having voted in the affirmative and 0 voted in the negative, 3 vacancies with 19 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

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, Tuesday, March 22, 2022 had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (H-810)** - Minority (5) **Ought Not to Pass** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Enhance Use of Critical Incident Stress Management Teams for Firefighters"

(H.P. 1114) (L.D. 1504)

TABLED - March 22, 2022 (Till Later Today) by Representative DUNPHY of Old Town.

PENDING - ACCEPTANCE OF EITHER REPORT.

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

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

Representative **PICKETT**: Thank you, Mr. Speaker. I rise in opposition to the pending motion and wish to speak. It was brought to our attention in committee that municipal officials are in support of providing critical incident stress management and support for all public safety officials involved with keeping our communities safe. However, these teams and the direction for the Commissioner of Public Safety to establish rules for their creation and assistance is already in existing law. Our volunteer firefighters provide vital services to Maine's communities, often responding to calls at odd hours of the day and night, more than likely after working a full day for another employer. This has made it much more difficult for municipal officials to find willing individuals who have the time

and ability to volunteer. Any additional training requirements must be fully supported by the State, tied to sensible objectives that can be addressed adequately through the training process and must not be enacted as an unfunded mandate to employ a specific individual for this purpose. LD 1504 as amended will remove the ability for an individual to establish a relationship with a mental health provider of their choice and forces a relationship between a department-chosen provider who may not necessarily be the best choice for the individual. Many municipalities already offer employee assistance programs that allow an individual to choose from a list of certified providers, leaving it up to the individual to define their own relationship with a provider instead of dictating such a relationship.

In committee, we were further told that our municipal officials do support the effort passed in 2019, one which is more inclusive of impacted public safety personnel and mirrors existing practice without it placing a disproportionate burden on the municipality or volunteer services. Many incidents responded to provide joint police and emergency response inclusion in debriefings. The amended bill includes a General Fund appropriation of \$85,861 in fiscal year 2022 and '23 for one public service manager, one position and related costs to implement and administer a critical incident stress management program. Municipal officials further told us that they support the development of a program established at the State level that will help those voluntary services find and collaborate with other agencies in their region, recognizing the difficulty these services have in finding members to respond, let alone specialize in a crisis counseling role. They reminded us once again, however, that this can already be done via existing rulemaking and part of the commissioner's already-established duty to assist critical incident teams. I urge you to follow my light and defeat the pending motion. Thank you, Mr. Speaker.

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

Representative GRAMLICH: Thank you, Mr. Speaker. Mr. Speaker, Colleagues of the House, I rise in support of the pending motion. As you know, Mr. Speaker, I've been a life-long advocate for behavioral health care. I've seen firsthand the fractured mental health system in our State. We have far more demand for services than we are adequately able to meet. LD 1504 aims to assure that critical incident stress management team services are provided to all first responders who are exposed to and who are dealing with not only the acuity of exposure to a singular traumatic event but also the long-term cumulative effects of such so that their behavioral health care needs are met. Critical incident stress management teams are the folks who assist first responders with processing the trauma experienced at the time of an event. And while critical incident management teams do indeed exist, they are not in every municipality. The waitlists are long and they do not provide the support and intervention necessary to treat the long-term chronic exposure to traumatic events, which is also known as posttraumatic stress disorder, otherwise known as PTSD.

I know we all have had events in our lives that impact us and that perhaps have caused us trauma, Mr. Speaker. However, our first responders, our brave men and women who

fight our fires, who dispatch teams to take our calls, our public safety agencies, fire departments and organizations involved in emergency care and response are all exposed to traumatic events on a daily basis. Daily, Mr. Speaker. Daily exposure to these traumatic events can have a cumulative impact on people and our first responders are particularly impacted. Not only do they have this daily chronic exposure, they also, just like you and I, have daily stressors of life and COVID has certainly exasperated this. The intent of this bill is to assure that mental health care needs of our first responders are met initially after the traumatic event and for the long haul. It is in no way intended to limit the choices for mental health care, nor is it intended to duplicate services. Again, the objective is to assure that mental health care needs are met. LD 1504 is meant to enhance the critically important services in both acute situations and exposure as well as to assure services for behavioral health care are accessible for the long-term. We need ongoing services for all of our first responders, Mr. Speaker. I have worked with the Professional Firefighters of Maine, with clinicians who are providing these necessary clinical interventions for our first responders, I've also worked with the Commissioner of Public Safety, the State Fire Marshal's Office, Maine EMS and others on this bill, all of whom are in support of critical incident stress management teams. LD 1504 is a step in the right direction to meet these unmet needs for our first responders. I urge you all to support the pending motion. Thank you, Mr. Speaker.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-810)** 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-810)** and sent for concurrence.

REPORTS OF COMMITTEE
Divided Reports

Majority Report of the Committee on **JUDICIARY** reporting **Refer to the Committee on Health and Human Services** on Bill "An Act To Protect the Reproductive Rights and Freedoms of Maine People"

(S.P. 156) (L.D. 811)

Signed:

Senators:

CARNEY of Cumberland
SANBORN of Cumberland

Representatives:

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

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

Signed:
Senator: KEIM of Oxford

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

Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority **Refer to the Committee on Health and Human Services** Report.

Came from the Senate with the Majority **REFER TO COMMITTEE** Report **READ** and **ACCEPTED** and the Bill and accompanying papers **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

READ.

On motion of Representative HARNETT of Gardiner, the Majority **Refer to the Committee on Health and Human Services** Report was **ACCEPTED**.

Subsequently, the Bill was **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**, in concurrence.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass** on Resolve, Regarding Legislative Review of Chapter 180: Appliance Efficiency Standards, a Late-filed Major Substantive Rule of the Department of Environmental Protection's Bureau of Air Quality (EMERGENCY)

(H.P. 1507) (L.D. 2026)

Signed:
Senators: BRENNER of Cumberland
BENNETT of Oxford
CARNEY of Cumberland

Representatives:
TUCKER of Brunswick
BELL of Yarmouth
BLUME of York
BOYLE of Gorham
DOUDERA of Camden
GRAMLICH of Old Orchard Beach
ZEIGLER of Montville

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

Signed:
Representatives:
HANLEY of Pittston
O'CONNOR of Berwick
TUELL of East Machias

READ.

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

Representative HANLEY of Pittston **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass** Report.

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

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

Representative **HANLEY**: This can be done in the next legislative session. Thank you.

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

ROLL CALL NO. 484

YEA - Alley, Arford, Babbidge, Bell, Berry, Boyle, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carlow, Cloutier, 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, Martin J, Martin R, Mathieson, Matlack, McCrea, McCreight, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, Osher, Pebworth, Perry A, Perry J, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roeder, Sachs, Sheehan, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carmichael, Collamore, Connor, Costain, Dillingham, Downes, Drinkwater, Ducharme, Faulkingham, Foster, Gifford, Greenwood, Hall, Hanley, Hutchins, Javner, Kinney, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

ABSENT - Blume, Cebra, Dolloff, Griffin, Grignon, Haggan, Harrington, Head, Kryzak, Madigan, McDonald, Nadeau, O'Neil, Paulhus, Prescott, Roberts, Salisbury, Sharpe, Theriault.

Yes, 77; No, 52; Absent, 19; Vacant, 3; Excused, 0.

77 having voted in the affirmative and 52 voted in the negative, 3 vacancies with 19 being absent, and accordingly the Majority **Ought to Pass** Report was **ACCEPTED**.

The Resolve was **READ ONCE**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED** and sent for concurrence.

Representative DUNPHY of Old Town moved that the House **RECONSIDER** its action whereby Bill "An Act To Protect the Reproductive Rights and Freedoms of Maine People"

(S.P. 156) (L.D. 811)

was **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES**.

The same Representative **REQUESTED** a roll call on the motion to **RECONSIDER** whereby the House **REFERRED** the Bill to the Committee on **HEALTH AND HUMAN SERVICES**.

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

The **SPEAKER**: The Chair recognizes the Representative from Oxford, Representative DILLINGHAM.

Representative **DILLINGHAM**: Point of clarification for Members of the Body. May I proceed?

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

Representative **DILLINGHAM**: So, LD 811, per what our Health Clerk announced, was previously held. It has been brought back for reconsideration by the Majority Leader. If

upon failure of reconsideration the bill is sent directly to committee; is that correct?

The SPEAKER: The Chair would answer in the affirmative.

Representative DILLINGHAM: And upon failure of reconsideration, the bill could not be held again in an attempt to try to withhold the bill from going forth to the new committee; is that correct?

The SPEAKER: The Chair would answer in the affirmative.

Representative DILLINGHAM: Thank you, Mr. Speaker.

The SPEAKER: A roll call has been ordered. The pending question before the House is Reconsideration whereby the House Referred the Bill to the Committee on Health and Human Services. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 485

YEA - Andrews, Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Costain, Dillingham, Downes, Drinkwater, Ducharme, Faulkingham, Foster, Gifford, Greenwood, Hall, Hanley, Hutchins, Javner, Kinney, Lemelin, Libby, Lyford, Lyman, Martin, Mason, Millett, Morris, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Quint, Roche, Rudnicki, Skolfield, Stanley, Stearns, Stetkis, Thorne, Tuell, Underwood, Wadsworth, White.

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

ABSENT - Blume, Cebra, Dolloff, Griffin, Grignon, Haggan, Harrington, Head, Kryzak, Madigan, McDonald, Nadeau, O'Neil, Paulhus, Prescott, Roberts, Salisbury, Sharpe, 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 motion to RECONSIDER whereby the House REFERRED the Bill to the Committee on HEALTH AND HUMAN SERVICES FAILED.

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

Majority Report of the Committee on JUDICIARY reporting Ought to Pass on Bill "An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Public Records Exceptions Related to Research and Aquaculture Leases"

(H.P. 1467) (L.D. 1972)

Signed:
Senators:

CARNEY of Cumberland
KEIM of Oxford
SANBORN of Cumberland

Representatives:

HARNETT of Gardiner
BABBIDGE of Kennebunk
EVANGELOS of Friendship
HAGGAN of Hampden
LIBBY of Auburn
MORIARTY of Cumberland
POIRIER of Skowhegan
RECKITT of South Portland
SHEEHAN of Biddeford

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

Signed:

Representative:

THORNE of Carmel

Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Majority Ought to Pass Report.

READ.

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

The Bill was READ ONCE.

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

Under further suspension of the rules the Bill was PASSED TO BE ENGROSSED and sent for concurrence.

Majority Report of the Committee on STATE AND LOCAL GOVERNMENT reporting Ought to Pass as Amended by Committee Amendment "A" (H-829) on Bill "An Act To Promote Equity in Policy Making by Enhancing the State's Ability To Collect, Analyze and Apply Data"

(H.P. 1199) (L.D. 1610)

Signed:

Senators:

BALDACCI of Penobscot
ROSEN of Hancock

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:

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 motion. I feel many of us feel that the legislation before us from committee was rather convoluted, rather difficult to understand. It was presented as a concept draft first and several weeks ago and within a day or two of the work session there was a draft presented and then possibly another draft. The upshot of the bill is that this would add additional positions that some of which are already being asked for, some of which there's overlap with and we do not feel it's a very good, prudent idea at this time. Thank you, Mr. Speaker.

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

ROLL CALL NO. 486

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

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

ABSENT - Blume, Cebra, Dolloff, Griffin, Grignon, Haggan, Harrington, Head, Kryzak, Madigan, McDonald, Nadeau, O'Neil, Paulhus, Pluecker, Prescott, Roberts, Salisbury, Sharpe, Theriault.

Yes, 74; No, 54; Absent, 20; Vacant, 3; Excused, 0.

74 having voted in the affirmative and 54 voted in the negative, 3 vacancies with 20 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-829)** 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-829)** and sent for concurrence.

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

Ought to Pass Pursuant to Joint Order

Report of the **Joint Standing Committee on Transportation** on Bill "An Act To Implement the Recommendations of the Motor Vehicle Inspection Working Group"

(S.P. 742) (L.D. 2032)

Reporting **Ought to Pass** pursuant to Joint Order 2021, S.P. 734.

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

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

The Bill was **READ ONCE**.

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

Under further suspension of the rules, the Bill was **PASSED TO BE ENGROSSED** in concurrence.

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

**CONSENT CALENDAR
First Day**

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

H.P. 1476) (L.D. 1990) Bill "An Act Allowing Electric-powered School Buses To Have Distinctively Colored Bumpers, Wheels and Rub Rails" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-832)**.

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

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

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

SENATE PAPERS

Resolve, Directing the Department of Transportation To Convene a Study Group To Examine Bridge Safety

(S.P. 707) (L.D. 1976)

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

Came from the Senate, with the Resolve and accompanying papers **INDEFINITELY POSTPONED**.

The Resolve and accompanying papers were **INDEFINITELY POSTPONED** in concurrence.

ENACTORS

Emergency Measure

An Act Related to Oversized All-terrain Vehicles

(S.P. 640) (L.D. 1813)

(C. "A" S-452)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 113 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

On motion of Representative FAULKINGHAM of Winter Harbor, the House adjourned at 3:59 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. 738).

Acts

An Act To Modify the Reporting Requirements for Major Contributors to Ballot Question Campaigns and To Make a Technical Change to the Campaign Finance Laws

(S.P. 614) (L.D. 1754)

(C. "A" S-439)

An Act To Maintain Consistency among Maine's Nondiscrimination Statutes

(S.P. 624) (L.D. 1786)

(C. "A" S-444)

An Act To Make Changes to the Laws Governing the Child Welfare Services Ombudsman Program

(S.P. 698) (L.D. 1960)

(C. "A" S-453)

An Act To Promote Home Ownership by Reducing Education Debt

(S.P. 709) (L.D. 1978)

(C. "A" S-437)

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

Resolves

Resolve, Directing the Bureau of Alcoholic Beverages and Lottery Operations To Evaluate Direct-to-consumer Wine and Spirits Sales

(S.P. 444) (L.D. 1358)

(C. "A" S-441)

Resolve, Directing the Family Law Advisory Commission To Develop Options To Improve Preliminary Injunctions in Judicial Separation and Divorce Actions

(S.P. 739) (L.D. 2028)

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

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

SENATE PAPERS

The following Joint Order: (S.P. 738)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until the call of the President of the Senate and the Speaker of the House, respectively.

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

READ and **PASSED** in concurrence.
