

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
11th Legislative Day
Tuesday, April 5, 2022

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

Prayer by Pastor Daniel Grant, Open Door Bible Baptist Church, Lisbon.

National Anthem by Open Door Bible Baptist Quartet, Lisbon.

Pledge of Allegiance.

The Journal of Thursday, March 31, 2022 was read and approved.

COMMUNICATIONS

The Following Communication: (H.C. 397)

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

March 31, 2022

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk Hunt,

Pursuant to my authority under Title 1, MRSA, Ch. 14, §534.1-G, I am pleased to reappoint Mr. Jeremy Cluchey of Bowdoinham as a member of the public to seat 15 on the InforME Board, effective immediately.

If you have any questions, please don't hesitate to contact my office.

Sincerely,

S/Ryan M. Fecteau

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 398)

**MAINE STATE LEGISLATURE
OFFICE OF PROGRAM EVALUATION AND
GOVERNMENT ACCOUNTABILITY**

March 30, 2022

The Honorable Troy D. Jackson

President of the Senate

130th Legislature

The Honorable Ryan Fecteau

Speaker of the House

130th Legislature

Dear Mr. President and Mr. Speaker:

The Office of Program Evaluation and Government Accountability is pleased to submit a copy of the Final Report on Child Protective Services Investigations. In accordance with 3 MRSA section 997, subsection 7, we will provide notice to the full Legislature of the availability of the report on our website at: <http://legislature.maine.gov/opega/opega-reports/9149>.

If you have any questions, please do not hesitate to get in touch.

Sincerely,

S/Lucia Nixon

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (S.C. 1218)

**MAINE SENATE
130TH LEGISLATURE**

March 31, 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 nomination:

Upon the recommendation of the Committee on Veterans and Legal Affairs, Stacey D. Neumann, Esq. of Scarborough for appointment to the Commission on Governmental Ethics and Election Practices.

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

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

On motion of Representative MATLACK of St. George, the following Joint Order: (H.P. 1523)

ORDERED, the Senate concurring, that Bill, "An Act Relating to the Valuation of Retail Sales Facilities," H.P. 807, L.D. 1129, and all its accompanying papers, be recalled from the Governor's desk to the House.

READ and PASSED.

Sent for concurrence.

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

On motion of Representative MILLETT of Cape Elizabeth, the following Joint Resolution: (H.P. 1522) (Cosponsored by Representatives: ALLEY of Beals, ARATA of New Gloucester, ARFORD of Brunswick, AUSTIN of Gray, BABBIDGE of Kennebunk, BELL of Yarmouth, BERNARD of Caribou, BERRY of Bowdoinham, BICKFORD of Auburn, BLIER of Buxton, BLUME of York, BOYLE of Gorham, BRADSTREET of Vassalboro, BRENNAN of Portland, BROOKS of Lewiston, BRYANT of Windham, CAIAZZO of Scarborough, CARDONE of Bangor, CARLOW of Buxton, CARMICHAEL of Greenbush, CEBRA of Naples, CLOUTIER of Lewiston, COLLAMORE of Pittsfield, COLLINGS of Portland, CONNOR of Lewiston, COPELAND of Saco, COREY of Windham, COSTAIN of Plymouth, CRAFTS of Newcastle, CRAVEN of Lewiston, CROCKETT of Portland, CUDDY of Winterport, DILLINGHAM of Oxford, DODGE of Belfast, DOLLOFF of Milton Township,

DOUDERA of Camden, DOWNES of Bucksport, DRINKWATER of Milford, DUCHARME of Madison, DUNPHY of Old Town, EVANS of Dover-Foxcroft, FAULKINGHAM of Winter Harbor, FAY of Raymond, Speaker FECTEAU of Biddeford, FOSTER of Dexter, GEIGER of Rockland, GERE of Kennebunkport, GIFFORD of Lincoln, GRAMLICH of Old Orchard Beach, GREENWOOD of Wales, GRIFFIN of Levant, GRIGNON of Athens, GROHOSKI of Ellsworth, HAGGAN of Hampden, HALL of Wilton, HANLEY of Pittston, HARNETT of Gardiner, HARRINGTON of Sanford, HASENFUS of Readfield, HEAD of Bethel, HEPLER of Woolwich, HUTCHINS of Penobscot, HYMANSON of York, JAVNER of Chester, KESSLER of South Portland, KINNEY of Knox, LANDRY of Farmington, LaROCHELLE of Augusta, LEMELIN of Chelsea, LIBBY of Auburn, LOOKNER of Portland, LYFORD of Eddington, LYMAN of Livermore Falls, MADIGAN of Waterville, MARTIN of Eagle Lake, MARTIN of Sinclair, MARTIN of Greene, MASON of Lisbon, MATHIESON of Kittery, MATLACK of St. George, McCREA of Fort Fairfield, McCREIGHT of Harpswell, McDONALD of Stonington, MELARAGNO of Auburn, MEYER of Eliot, MILLETT of Waterford, MORALES of South Portland, MORIARTY of Cumberland, MORRIS of Turner, NADEAU of Winslow, NEWELL of the Passamaquoddy Tribe, NEWMAN of Belgrade, O'CONNELL of Brewer, O'CONNOR of Berwick, O'NEIL of Saco, ORDWAY of Standish, OSHER of Orono, PARRY of Arundel, PAULHUS of Bath, PEBWORTH of Blue Hill, PERKINS of Oakland, PERRY of Calais, PERRY of Bangor, PICKETT of Dixfield, PIERCE of Falmouth, PLUECKER of Warren, POIRIER of Skowhegan, PRESCOTT of Waterboro, QUINT of Hodgdon, RECKITT of South Portland, RIELLY of Westbrook, RISEMAN of Harrison, ROBERTS of South Berwick, ROCHE of Wells, ROEDER of Bangor, RUDNICKI of Fairfield, SACHS of Freeport, SALISBURY of Westbrook, SAMPSON of Alfred, SHARPE of Durham, SHEEHAN of Biddeford, SKOLFIELD of Weld, STANLEY of Medway, STEARNS of Guilford, STETKIS of Canaan, STOVER of Boothbay, SUPICA of Bangor, SYLVESTER of Portland, TALBOT ROSS of Portland, TEPLER of Topsham, TERRY of Gorham, THERIAULT of China, THORNE of Carmel, TUCKER of Brunswick, TUELL of East Machias, UNDERWOOD of Presque Isle, WADSWORTH of Hiram, WARREN of Hallowell, WARREN of Scarborough, WHITE of Waterville, WHITE of Mars Hill, WILLIAMS of Bar Harbor, WOOD of Portland, ZAGER of Portland, ZEIGLER of Montville, Senators: BAILEY of York, BALDACCI of Penobscot, BENNETT of Oxford, BLACK of Franklin, BREEN of Cumberland, BRENNER of Cumberland, CARNEY of Cumberland, CHIPMAN of Cumberland, CLAXTON of Androscoggin, CURRY of Waldo, CYRWAY of Kennebec, DAUGHTRY of Cumberland, DAVIS of Piscataquis, DESCHAMBAULT of York, DIAMOND of Cumberland, DILL of Penobscot, GUERIN of Penobscot, HICKMAN of Kennebec, President JACKSON of Aroostook, KEIM of Oxford, LAWRENCE of York, LIBBY of Androscoggin, MAXMIN of Lincoln, MIRAMANT of Knox, MOORE of Washington, POULIOT of Kennebec, RAFFERTY of York, ROSEN of Hancock, SANBORN of Cumberland, STEWART of Aroostook, TIMBERLAKE of Androscoggin, VITELLI of Sagadahoc, WOODSOME of York)

**JOINT RESOLUTION EXPRESSING SUPPORT
FOR THE PEOPLE OF UKRAINE**

WHEREAS, Ukraine is the second largest country in Europe; and

WHEREAS, on January 21, 1990, more than 300,000 Ukrainians called for unity and independence from the Soviet

Union by forming a human chain between the cities of Kyiv and Ivano-Frankivsk; and

WHEREAS, after years of oppression, in 1991 Ukraine won freedom from the Soviet Union's totalitarian dictatorship because of the Ukrainians' love of liberty; and

WHEREAS, Ukraine is a sovereign nation, and the United States and Ukraine have been partners since Ukraine declared its independence from the Soviet Union more than 30 years ago; and

WHEREAS, the people of Maine and the people of Ukraine share a commitment to democracy, human rights and the rule of law; and

WHEREAS, Ukrainians and Ukrainian Americans have enriched our communities through their leadership and contributions in agriculture, business, academia, government and the arts; and

WHEREAS, on December 5, 1994, in an effort to solidify security commitments to Ukraine in return for its nuclear disarmament, the United States, the Russian Federation and the United Kingdom signed the Budapest Memorandum on Security Assurances, whereby each country pledged to respect the independence and sovereignty of Ukraine's borders while refraining from the threat or use of force against Ukraine; and

WHEREAS, over the past 3 decades, the Russian Federation has illegally seized Ukrainian land in Crimea; armed Russian-backed separatists, leading to thousands of deaths; interfered in elections; used chemical weapons to attempt assassinations; carried out cyberattacks and disinformation campaigns abroad; and violated international arms control agreements; and

WHEREAS, on February 24, 2022, Russian President Vladimir Putin abandoned diplomacy and international pleas for peace and launched an unprovoked military invasion of Ukraine; and

WHEREAS, this attack on Ukraine has already killed thousands of Ukrainian service members and civilians and caused an urgent international humanitarian crisis; and

WHEREAS, President Putin has denied the existence of Ukraine and seeks to overthrow the democratically elected government of Ukraine; and

WHEREAS, the Russian Federation has flagrantly violated international law in attempting to unilaterally create 2 new so-called republics on sovereign Ukrainian territory; and

WHEREAS, lasting peace and prosperity require respect for the sovereignty and territorial integrity of countries and respect for human rights; and

WHEREAS, the people of Ukraine are now engaged in an armed conflict to defend their independence and democratic way of life; 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 the democratic values shared by the people of Maine and the people of Ukraine; and be it further

RESOLVED: That the State of Maine stands in solidarity with the people of Ukraine as they fight for their freedom; and be it further

RESOLVED: That the State of Maine condemns the unprovoked Russian invasion of Ukraine and reiterates its support for peace, diplomacy and an immediate end to the invasion; and be it further

RESOLVED: That the State of Maine recognizes the importance of and commends the steps the United States has taken so far to punish the Russian government for its actions

and to offer humanitarian relief to the Ukrainian people; and be it further

RESOLVED: That the State of Maine encourages our citizens to support Ukrainian Americans and the people of Ukraine in their urgent time of need; 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, Jr., President of the United States, and each Member of the Maine Congressional Delegation.

READ.

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

Representative **MILLETT:** Mr. Speaker, Ladies and Gentlemen of the House, on December 1, 1991, 92% of Ukrainians voted for independence after the dissolution of the Soviet Union. Less than a year later, a little before Thanksgiving, I landed in Kyiv as a member of the first Peace Corps group in Ukraine, the first in the former Soviet Union. Like Maine, the winter days were short and cold, but we quickly were warmed by the welcoming spirit of Ukrainians. We certainly were quite the curiosity and many were puzzled by why we'd leave our bountiful country to come live in theirs. The following two years, I learned of their proud heritage, love of poetry, song and dance, the bloody tragedies of world wars soaked into their land and their psyche, forced famines, pogroms against Jewish citizens and their deeply-rooted resiliency. I stood in lines with Ukrainians to buy bread, squeezed myself into city busses that burst at the seams, waited in post offices to place phone calls to my family alongside Ukrainian soldiers, walked through the many parks with Ukrainian families and friends linked arm in arm, translated Beatles songs for young elementary school fans and worked alongside government officials as they endeavored to forge a new path. My Ukrainian tutor soon became my Ukrainian mother and her family, my family. Sharing their food, their stories, their celebrations, their village garden. My Ukrainian counterpart at my host agency and I laughed at ourselves as we fumbled through our conversations over lunch. And generous Ukrainians welcomed me into their circles of friends, their evening gatherings, their picnics, their hopes and dreams. Back then, many didn't know their country's potential, saw opportunity only in other lands and seemingly were weighted by generations of oppression, corruption and the omnipresence of Russia. Over the past 30 years and with each new generation, Ukraine has forged its identity as a sovereign nation, with elections, popular movements and an unwillingness to fall back into the clutches of Russia. The taste of freedom and self-determination is strong, despite Russia's annexation of Crimea in Southeast Ukraine and provocation in Eastern Ukraine which has led to more than 14,000 deaths and two million displaced Ukrainians. A month ago, 200,000 Russian troops invaded with tanks, rocket launchers, hypersonic missiles, thermobaric weapons and cluster bombs, ravaging cities, towns, civilian housing and hospitals. Nearly 2,700 civilian casualties in one month. Over four million refugees. Families uprooted, homes destroyed and lives horrifically extinguished. The evil hollowness of Russia's proclaimed, quote, one people, end-quote, is on display for the world to see.

As we gather here in the State House engaged in a debate of ideas and policies, let us be grateful. Grateful for the privilege to serve our communities and the State of Maine without fear of reprisal, of invasion, of destruction and death. My esteemed colleagues, I share with you verses from Ukraine's national anthem. Ukraine's freedom has not yet perished nor has her glory. Upon us fellow Ukrainians fate shall smile once more. Our enemies will vanish like dew in the sun. And we too shall rule, brothers, in a free land of our own. Brethren, stand together in a bloody fight from the sea until the dawn, we will not allow others to rule in our motherland. The Black Sea will smile and grandfather Dnieper will rejoice for in our own Ukraine fortune shall flourish again. Our persistence and our sincere toils will be rewarded and freedom's song will resound throughout all of Ukraine, echoing off the Carpathians and rumbling across the steps, Ukraine's fame and glory will be known among all nations. And to Ukraine, I say Дай Боже здоров'я Україні та її народу.

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

Representative **ANDREWS:** Thank you, Mr. Speaker. While I certainly support the fighting spirit of the Ukrainians and condemn the invasion by Russia, I cannot support this resolution as written. I worry that this resolution will add to the calls for escalation by the United States or this involvement in the war on Ukraine. The resolution mentions the Budapest Memorandum, a pledge of security by the United States for Ukraine in 1994. The Budapest Memorandum is not a binding treaty and was never ratified by the United States Senate as required by Article II, Section two of the United States Constitution. If anything, the Budapest Memorandum is yet another cautionary tale of why an individual or a nation should never give up their guns, so to speak. American escalation is not the answer. Those in this chamber must listen carefully to hear the drums of war that are beginning to beat slowly upon our shores. We as a legislative Body must not join the band and America must not listen to the siren call of yet another foreign entanglement that will only benefit the military industrial complex. Thus far, the Biden Administration has imposed sanctions on Russia, as further referenced within this resolution. Imposing economic sanctions does more to grab a headline in the 24-hour news cycle than it actually does to punish Russian oligarchs. Ultimately, sanctions only hurt poor people and have widespread and disruptive ripple effects in the global marketplace. Even our own president has originally said that sanctions don't work. Mr. Speaker, if we truly want to help the Ukrainians, we must increase America's domestic oil and gas production. By flooding the world market with American crude, we defund Putin's war machine by taking away his market share. Petrol tyrants can't afford to go on the march to war when gas is sustainably cheap in global markets. We need more American boots in domestic oil fields and fracking fields, not on the ground in Ukraine. While I can appreciate the intent of this resolution, ultimately it does nothing to actually help anyone in Ukraine. American energy independence and net exportation of American gas and petroleum is how we aid the world to keep petrol tyrants in check without ever firing a shot. For the reasons stated above, I cannot support this resolution today. Thank you for the time.

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

Representative LIBBY: Mr. Speaker, Men and Women of the House, Serge Zevlever dedicated his life to finding homes for Ukrainian children with special needs and always went above and beyond to make the adoption process run more smoothly. He went the extra mile. He knew who to talk to, where they lived, what had to be done and made things very smooth and easy for us, said an adoptive father. We know that we probably wouldn't have our son with us if he wasn't there but also that he had that impact on thousands of families. I met Serge in 2017. He had a penchant for telling stories and dispensing advice while rocketing along roads in terrible disrepair at a hundred miles an hour or more. He spoke and laughed loudly, ate and drank heartily and was passionate about building families. One adoptive family said we called him the Ukrainian godfather. This had a double meaning. One of the meanings was because he knew everyone and everything, Serge was so connected politically. The other meaning was because he helped thousands of children go home. Serge was a dual citizen of Ukraine and the United States. He could've left Ukraine. He owned a home here in America. He could've watched the news from afar, but instead of coming to the United States as Russia invaded, he stayed and fought for his country. Serge died in February bravely defending Kyiv. Please join me in a moment of silence for Serge and the other brave men and women who have lost their lives in Ukraine.

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

On motion of Representative MILLETT of Cape Elizabeth, the following Joint Order: (H.P. 1521)

WHEREAS, science shows that early childhood experiences matter and a child's brain grows faster during the first years than at any later time in life, with more than a million new brain connections forming each second, strengthening cognitive and social-emotional capacities that prepare children for success in kindergarten to grade 12 and beyond; and

WHEREAS, Maine is one of 4 states where deaths outnumber births, and the declining number of births has implications for our cities, towns, schools and economy; and

WHEREAS, providing every infant with the opportunity for a positive early childhood experience is critical for Maine's future success; and

WHEREAS, it is critical to have a robust early childhood system, including care, education and child welfare, to support and strengthen families experiencing challenges and crises and to develop protective factors such as positive attachments and relationships; and

WHEREAS, a robust early childhood system will give adults the tools they need and support strong and resilient children in Maine; and

WHEREAS, 2021 set a new child death record in Maine, and the Child Welfare Services Ombudsman's annual report concludes that there continue to be struggles with practice issues and decision making regarding child welfare services, including deciding whether or not the child is safe during the initial investigation and whether the child will be safe in the home once reunified with the parents; and

WHEREAS, to achieve equitable care in early childhood, the State must focus on the early childhood environment,

including child welfare, early learning, healthy development, poverty, systemic racism and disparities in access to resources and opportunities; and

WHEREAS, Maine can produce better early childhood and economic development results and improve community and family well-being with approaches that focus on state and regional coordination, integrated funding, multigenerational strategies, "no wrong door" access to services, comprehensive data analysis and continuous quality improvement and engagement with stakeholders that drives policy change; and

WHEREAS, it is essential that the Legislature work with the State's education, child welfare and early childhood community and workforce, as well as with policy experts, to develop and implement measures to strengthen the State's early childhood system; now, therefore, be it

ORDERED, the Senate concurring, that the Task Force on Early Childhood in Maine, referred to in this order as "the task force," is established as follows.

1. Appointments; composition. The task force consists of members appointed as follows:

A. Four members of the Senate, appointed by the President of the Senate, including 2 members of the party holding the largest number of seats in the Senate and 2 members of the party holding the 2nd largest number of seats in the Senate; and

B. Four members of the House of Representatives, appointed by the Speaker of the House of Representatives, including 2 members of the party holding the largest number of seats in the House and 2 members of the party holding the 2nd largest number of seats in the House.

2. Chairs. The first-named Senator is the Senate chair of the task force and the first-named member of the House of Representatives is the House chair of the task force. Notwithstanding Joint Rule 353, the chairs may invite the participation of, as nonvoting members, early childhood leaders, policy experts and individuals who represent the interests of or who work directly in early childhood fields. Any additional members invited pursuant to this section are not entitled to compensation or reimbursement under section 5.

3. Appointments; convening. All appointments must be made no later than 15 days following passage of this order. The appointing and inviting authorities shall notify the Executive Director of the Legislative Council once all appointments and invitations have been made. When the appointment and invitation of all members has been completed, the chairs of the task force shall call and convene the first meeting of the task force. If 15 days or more after the passage of this order a majority of but not all appointments and invitations have been made, the chairs may request authority and the Legislative Council may grant authority for the task force to meet and conduct its business.

4. Duties. The task force shall review ways to strengthen the State's early childhood environment, with a focus on early childhood education, family and child welfare and children's healthy development, including their physical, emotional, mental and behavioral health. The task force shall focus on strategies to define and coordinate leadership, integrate funding with strategic financing, improve equity and address racial disparities in early childhood and align local, regional and state initiatives. The task force shall recommend how to support system policies that drive continuous improvement in quality and delivery of services, that engage parents, educators, providers and others as part of system development and refinement and that use comprehensive data analysis to track progress on outcomes, assessments and benchmarks.

5. Compensation. The legislative members of the task force are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the task force.

6. Quorum. A quorum is a majority of the members of the task force, including those members invited to participate who have accepted the invitation to participate.

7. Staffing. The Legislative Council may provide staffing support to the task force when the Legislature is not in session. The Legislative Council shall contract for necessary staff support for the task force during the legislative session and may contract for such staff support for a longer period to the extent needed and if sufficient funding is available. Notwithstanding Joint Rule 353, at the request of the task force, the Legislative Council may provide drafting assistance to the task force during the legislative session.

8. Reports. The task force may submit an initial report, including suggested legislation, no later than August 1, 2022. The task force shall submit a final report that includes its findings and recommendations, including suggested legislation, for introduction to the First Regular Session of the 131st Legislature.

READ.

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

Representative **SAMPSON**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Joint Order, I believe, should've been a bill that had received a full public hearing, so, I am in opposition of this motion.

Representative ANDREWS of Paris **REQUESTED** a roll call on **ADOPTION**.

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 Adoption of the Joint Resolution. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 515

YEA - Alley, Arford, Babbidge, Bell, Berry, Bickford, Boyle, Brooks, Bryant, Caiazzo, Cardone, Carlow, Carmichael, Collamore, Collings, Copeland, Corey, Costain, Craven, Crockett, Cuddy, Dillingham, Dodge, Doudera, Downes, Dunphy, Evangelos, Evans, Fay, FecteauR, Geiger, Gere, Gramlich, Griffin, Grohoski, Hall, Harnett, Harrington, Hasenfus, Javner, Kessler, LaRochelle, Lookner, Madigan, MartinJ, MartinR, Matlack, McCrea, McCreight, Melaragno, MillettH, MillettR, Morales, Moriarty, Morris, Newman, O'Connell, O'Neil, Ordway, Osher, Parry, Paulhus, Pebworth, Pluecker, Poirier, Rielly, Riseman, Roberts, Roche, Roeder, Sachs, Sheehan, Skolfield, Stearns, Supica, Sylvester, Terry, Theriault, Tucker, Tuell, Wadsworth, WarrenC, WarrenS, WhiteB, Williams, Wood, Zager, Zeigler.

NAY - Andrews, Arata, Austin, Bernard, Blier, Bradstreet, Brennan, Cebra, Cloutier, Connor, Crafts, Dolloff, Drinkwater, Ducharme, Foster, Gifford, Greenwood, Haggan, Hanley, Head, Hepler, Hutchins, Hymanson, Kinney, Landry, Lemelin, Libby, Lyford, MartinT, MasonR, Meyer, Nadeau, O'Connor, Perkins, PerryA, Pickett, Pierce, Prescott, Quint, Rudnicki, Salisbury, Sampson, Stanley, Stetkis, Stover, Tepler, WhiteD.

ABSENT - Blume, Faulkingham, Grignon, Lyman, Mathieson, McDonald, PerryJ, Reckitt, Sharpe, Talbot Ross, Thorne, Underwood.

Yes, 88; No, 47; Absent, 12; Vacant, 4; Excused, 0.
88 having voted in the affirmative and 47 voted in the negative, 4 vacancies with 12 being absent, and accordingly the Joint Resolution was **ADOPTED** and sent for concurrence.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Victor Clayton, of Camden, a fifth grader at Camden-Rockport Middle School, who won the Maine Scholastic Individual K-5 Chess Championship. Victor will now go on to represent Maine at the Rockefeller National Tournament of K-5 Champions in Rancho Mirage, California. We extend our congratulations and best wishes;

(HLS 684)

Presented by Representative DOUDERA of Camden.

Cosponsored by Senator MIRAMANT of Knox.

On **OBJECTION** of Representative DOUDERA of Camden, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **DOUDERA**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We have a chess champion in our midst. As you heard, Victor is a fifth-grader at Camden-Rockport Middle School and he won the Maine Scholastic Individual K-5 Chess Championship that was held at Messalonskee Middle School in March. He's going on to California to represent our State at the end of July, competing in the John D. Rockefeller III, National Tournament of Elementary School State Champions. Victor is 10 years old. I asked him this morning what he liked about chess and he said that it's fun and he likes that you have to think ahead. The road to happiness lies in two simple principles; find what it is that interests you and that you can do well and when you find it, put your whole soul into it, every bit of energy and ambition and natural ability you have. John D. Rockefeller III, said that and we echo his words and wish Victor all the luck in the world as he competes in the tournament this summer. Also, we hope he has lots of fun. Thank you.

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

Recognizing:

the Maine Building Officials and Inspectors Association, of Augusta, which is celebrating its 50th Anniversary on May 3, 2022. With a membership of 325 across the State, and recognized by the International Code Council, the association supports code officers by providing educational programs, networking opportunities and development and maintenance of a professional code enforcement community, with the goal of promoting professional standards with the consistent interpretation and enforcement of codes. We extend our congratulations and best wishes;

(HLS 698)

Presented by Representative MASON of Lisbon.

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

On **OBJECTION** of Representative MASON of Lisbon, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

the Independence Association, of Brunswick, which is celebrating its 55th Anniversary this year. The association was founded by Mid Coast families that wanted their children with disabilities to be able to live as contributing members of their home communities, and their vision and commitment have not only produced an organization that served 321 children and adults in 2021 but have transformed their communities into places where diversity, equity and full community inclusion of people with disabilities have become fundamental to our Maine way of life. Members of the families that founded the association include Charles and Francis Payne, James and Doris Viemer, Anne Donovan, Gerard Philippon and Gloria Michaud. We extend our congratulations and best wishes;

(HLS 731)

Presented by Representative ARFORD of Brunswick.

Cosponsored by Senator DAUGHTRY of Cumberland, Representative McCREIGHT of Harpswell, Representative TUCKER of Brunswick.

On **OBJECTION** of Representative ARFORD of Brunswick, 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.**

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, March 31, 2022, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Expression of Legislative Sentiment Recognizing the Glenburn School Chess Team

(HLS 672)

TABLED - March 24, 2022 (Till Later Today) by Representative DILLINGHAM of Oxford.

PENDING - PASSAGE.

The **SPEAKER**: The Chair recognizes the Representative from Levant, Representative Griffin.

Representative **GRIFFIN**: Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I am so excited to offer my congratulations to the Glenburn Chess Team, who earned the State Championship. Glenburn School is very dear to my heart. I taught at Glenburn School for 26 years and the staff, students and community are very special. As you know, chess is a game of problem solving, planning and strategy. It takes time and practice to become a champion. The Glenburn Chess Team has won three Penobscot Valley middle-level championships under the

leadership of the former coach, Mr. Mike Cassidy. He coached from 2001 to 2016. Mr. Tom Coleman is presently the coach and has been coaching since 2017. Currently, Mr. Coleman has 40 players participating in a six-week chess club from the grades two to five. The club is coached by Mr. Coleman and the chess team. What a great way to prepare for the next champions. Again, I am delighted to congratulate the Glenburn Chess Team in our session today. Thank you.

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

Representative **CUDDY**: Thank you very much, Mr. Speaker. I rise because my son participated on the Wagner Middle School Chess Team and I got to see the Glenburn Chess Team twice. We walked away both times with a two-point loss to the Glenburn Chess Team. But the kids from the Glenburn Chess Team acquitted themselves wonderfully in each of those meetings. The coach was excellent and extraordinarily helpful and it could not be a better bunch of kids that won this this year and I am just very proud to have been associated with the whole thing.

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

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

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

(S.P. 196) (L.D. 489)
(C. "A" S-53)

- **CARRIED OVER** to any special or regular session, of the 130th Legislature, pursuant to Joint Order H.P. 1302 on July 19, 2021.

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

PENDING - FINAL PASSAGE.

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

Representative **PLUECKER**: Thank you, Mr. Speaker. I'd just like to speak briefly to the enactment of this bill. The Pine Tree Amendment is a guarantee of our right to hold the government accountable. We have inalienable rights in our State Constitution and the right to a clean and healthy environment belong amongst those guaranteed there. Our Constitution is there to protect us as citizens from the encroachments of the Executive Branch. As representatives of the people, we must make the choice to protect our constituents. The Constitutional Amendment was constructed with support coming from Democrats, Republicans and Independents. This is a bill that represents the needs of all Mainers, not a select few. This amendment takes our hard-won success of right to food and builds upon it. Maine led the way with that constitutional amendment and this amendment expands upon it to protect our liberties to an even greater extent. There are multiple states with environmental rights amendments similar to the one before us today. In 1972, Montana added a right to a clean and healthful environment in their State constitution. In 2020, it was used to stop a massive government-permitted mine that would impact groundwater.

New York State just added an environmental right to their constitution. There are multiple proposals such as this one in other states. In 1971, Pennsylvania added a right to clean air, clean water to their State constitution. Today, this amendment is actively being used in the courts to protect citizens and farmers from the devastation of state-sponsored PFAS contamination. This amendment will drastically empower our citizens as they struggle with PFAS poisoning on our lands and waters. There is existing legal precedent in these states. Because we aren't first with this language, we have a clear idea of how and when this amendment might be used in our courts. It will not be used to hurt our industries, hinder development, stop roads going through, but it will be used to protect our citizens when their rights are denied by this government.

Our State campaigned to spread contaminated sludge from urban centers in our precious agricultural soils for years but there were farmers who said no and avoided the contamination. They did not know about PFAS, but they knew about heavy metals and other possible sources of contamination. They knew they did not want the sludge on their land. However, they had no standing in court to question the policies being peddled by the State. A constitutional amendment which protects the liberties of all Maine citizens is exactly what those farmers needed 30 years ago. We are paying the price because they did not have access to this tool. As a legislature, it is time to take the gloves off, stop hobbling our farmers and citizens and protect our inherent right to a healthy environment and our cultural heritage that we are all born with. Thank you, Mr. Speaker.

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

Representative **O'NEIL**: Thank you, Mr. Speaker. Mr. Speaker, I rise to speak in support of amending the Maine Constitution to create a right to clean air, clean water and a healthy environment. I'm going to touch on a couple of things. Our Constitution is the foundational document that sets out our values and the most important rights that we want to protect. Right now, Article I, which is our version of the Bill of Rights, protects our freedom of religion, right to assemble, right to due process and right to bear arms. It doesn't recognize the foundational right to a clean and healthy environment, including clean air and clean water. Such a protection is in line with our values and essential to include among our declaration of rights going forward. Here's why Article I of our Constitution was drafted to protect us from different ways that government could encroach upon our rights or not do enough to protect us. For example, we protect free speech even if that speech is unpopular, hateful or ugly. That's because we have decided that the free exchange of ideas is foundational to a democratic society. That's also why we protect ourselves against unreasonable searches and seizures, so that agencies can't come into our homes or search us without meeting a minimum protective standard. Speech protections and search and seizure protections create a backstop against government encroachments.

By protecting our right to a clean and healthy environment in the Constitution, we'll create a parallel backstop that protects us from something government might actively do that doesn't protect our right or that protects us in situations

when government doesn't do enough to protect us. It's an added check on our system. The goal is to make sure that our government's decision-making process prioritizes environmental protection and pollution prevention rather than pollution permitting and management. The amendment will fill in gaps that exist in our environmental laws. It will strengthen environmental justice. It will protect our health and our future. That future focus is really important. As you know, environmental harm comes with cost, including those related to health, cleanup, decreased property values and flooding or drought. Most often, those costs are borne by those who lack political power. Protecting our right to a healthy environment will mean that the governmental decision-making process will take this right into account. That means everything from creating laws and regulations to issuing decisions and permits. If a harmful decision is made or if government doesn't do enough to keep us safe, we will have a backstop to protect us into the future. In Maine, our economy is based on our natural resources; our waterways for fishing and recreation, our lakes for canoeing and ice fishing, our woods for timber and hiking, our fields for growing food. We are lucky that we have strong environmental laws. That said, laws that protect our environment and thus our economy can contain gaps or be undone by political whim. Passing this amendment will create a backstop of protection for our environment, our livelihood and our wellbeing. And as for future application, it's hard to say exactly how an amendment will protect us in the future and that's why this is so important. I think that anyone in Maine would recognize that without a healthy environment, without clean air, clean water and stable ecosystems, we'd have trouble enjoying any other rights or freedoms. Before I can engage in dissenting speech to protect my home from unreasonable searches, I need to have clean air to breathe. We propose this amendment to our Constitution because a healthy environment is essential to all else. Government has a role to protect us and this amendment will push our State government in the right direction and create a final backstop for our most fundamental human needs. Thank you, Mr. Speaker.

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

Representative **HANLEY**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise in opposition to the pending motion, not because I am opposed to a clean environment, naturally, that would be a complete falsehood to describe me that way. Just last week in this chamber we discussed the Clean Water Act which went into effect. It has not been weakened in any way. In fact, over the years, that's been improved and hardened and made better. Clean air as well. These things happen because legislation happens because we see a problem and we solve it on the federal level and the State level. Amending the Constitution is not a trivial thing and if you are going to do it, you need to do it with absolute perfection. Because once you put something into the Constitution as an amendment, no future legislature can come back and fix it. This piece of legislation as written is an imperfect document. It's well intended. I spoke a few times with the sponsor of it but we could not agree on the language. So, it is my hope that this Body will carefully and deliberately think about what you are about to do. Trying to change the Constitution is a good thing, but only if you cross all your Ts

and dot all your Is and this legislation does not do that. It would be better to take it back to the table, work on it, bring it back in another session, but at this time, I highly recommend we vote against this. Thank you, Mr. Speaker.

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

Representative **PERKINS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Due to the broadness of this, I can't support it. We will affect our bridges, our infrastructure and we know if our bridges, our roads, our infrastructure, our bike paths are not built, that we're affecting all of us here in Maine. It is so broad that anybody can come up and say that a bike path that we're building is affecting the clean water, that road that we're building is affecting the air. This is way too broad. I would ask the people please, let's go back; let's go back and rewrite this and look it over before we do something that we can't change. The unintended consequences on this will be huge and we cannot do this. Thank you, Mr. Speaker.

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

Representative **HUTCHINS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, oppose this, not because I oppose clean water and clean air, because I don't think any of us do that, but I do think the unintended consequences from something that has been brought together in a relatively short period of time and expect to be made part of the Constitution is too fast. One of the things as a good example would be the right to food that was put on the Constitution last year. It was about four times that it came before the Body before it reached the point where the Body felt that it was ready. And I think this piece of legislation isn't ripe yet. And I can best describe that with a problem that we had many years ago in Deblois where a power plant was generating power by burning peat. And the DEP inspector that came down to keep track of what was going on was in the process of shutting down the plant because it wasn't following the guidelines of what had been set up. What had been set up was when the ashes were collected, they were to be collected in a hopper, a truck to dispose of them would drive under the hopper and dump it into the truck. That particular way didn't work because it would catch fire, it was too confined. So, they built a masonry building, put it inside and loaded the truck with a loader, the ground outside was hot top so they could sweep it up and put anything that was residual on the ground, sweep it back into the building for the next load. And this particular inspector was going to shut it down because it wasn't being done the right way. And it probably was because the inspector thought that burning peat was a poor way of making electricity and I agreed with her, but they had the permit and peat should be used for something different than that, but it was going to be shut down, not only the peat part of it but the woodburning as well and all together it was going to shut down 100 jobs and they were hanging it on this way the ash was being disposed. And the Chief Executive at the time got in touch with, at my request, got in touch with the DEP and they resolved it and it didn't get shut down. And the reason it didn't is because the ashes that were being collected were being spread on a blueberry field for experiment for the University of Maine to see that it was proper to use for fertilizer for blueberries. So, the

fact that a few shovelfuls might've ended up on hot top and then swept back into a building didn't quite qualify. And I think we're going to see a lot of things like that with this particular piece of legislation and that's why I say it's not ready yet. Thank you.

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

Representative **PLUECKER**: Thank you, Mr. Speaker. I just wanted to speak to the idea of unintended consequences. We have 50 years of judicial precedent on this sort of language across the country. We understand very clearly what the consequences of this are going to be. We know what's happening. We're looking into our Constitution to provide protections for our citizens, to provide protections for our State. This does not target businesses, this does not target bike paths. If this State were to pass a law saying that we shall build bike paths without looking at the consequences on our environment of building bike paths, then that law could be questioned in our court. So, that's what this gives us standing in the courts to do. But it does not stop anyone from spreading ash on their blueberry fields or from building bike paths. This is a constitutional amendment, not Statute that we're talking about and 50 years of history backing that conversation. Thank you, Mr. Speaker.

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

Representative **DOLLOFF**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I take doing any changes to the Constitution very seriously. And in looking at this particular issue, we all want a healthy environment and I believe we're all working for that, there isn't anybody that doesn't. But there's too many variances in this bill to make a constitutional amendment. I really, you know and one thing, maybe it's not the intention, but we all know that it could be. When the door is opened, other things flow. I have a well. I don't want to be charged by the State for the water that's in my well. That's just a very minor issue. So, you can imagine by making this Constitutional Amendment what it can do. So, I ask you please, people, think about this. I don't believe we're ready for this, there's too many variances, so, I ask you to follow my light. Thank you, Mr. Speaker.

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

Representative **TUELL**: Thank you, Mr. Speaker. I oppose the pending motion and I do so for some very downeasterly, if that's a word, reasons. Many folks downeast like to burn firewood over the run of a winter. Certainly, many find it a more cost-effective alternative to four-and-a-half-dollar oil or whatever it's at right now. And over the past few years there's been this push to, I can't come up with a word of it, but de-incentivize, if you will, to discourage people from using their woodstove. And one of the reasons being is that people feel that it pollutes the air, that we're putting smoke into the air and people are being harmed by that. Since we don't know what the consequences of this are by those who are supporting it, by their own admission, I fear that if we were to pass something like this, we could unintentionally ban the burning of firewood. Beyond that, I have questions about whether something like this will drive up our highway budget. Downeast, we have a stretch of road in my district that was six

years before it actually got repaired along Route 1. That stretch, there's some marshy area, there's some area with some wetlands and DEP and DOT and all the agencies got together and did their level best to get that project moving forward. Still, it took six years. Every year, I had people saying well, this is an emergency, it's public safety, why can't this move faster. It can't move faster because of rules and regulations from the federal government to move the project faster. Rules and regulations that cost the State and the federal government a ton of money and which delay necessary work. I fear that if we pass this, we are slowing down every project around the State, potentially. And, lastly, last week, or the week before, we had a big discussion about the future of our fishing industry and whether we were going to fight what many in the Body consider regressive whale rules, rules that would put many fishermen out of business in order to protect the right whale. Now, I don't know about anyone else about clean water but those whales probably feel they have a right to clean water. And I wonder if this is kind of a back-door way to kind of, if you will, possibly impact the fishing industry. Those are just several examples of practical ways that this motion, this amendment could be a bad idea and I would encourage you to vote in opposition to it along with me. Thank you, Mr. Speaker.

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

Representative LEMELIN: Thank you, Mr. Speaker and Friends in the House. I rise in opposition to the pending motion and the reason for that is this is actually a bill of deception. It is not a bill that says are you in favor of clean water or clean air. If it was, it would have unanimous consent. But it's not. Everyone in Maine is in favor of clean air and clean water. There's not a human being alive that's not in favor of that. However, that's not the decision you're making here. The decision we're making is whether or not to give activists supreme power. I personally cannot give activists supreme power. We're not helping the DEP do their job, we're not helping, you're not going to help me have my well be clean, none of that. This is a very, very deceiving, deceptive bill. This bill is only to give activists supreme power and I want all my people to know that.

Representative TEPLER: Point of Order.

The SPEAKER: The Member will defer. The Chair would inquire as to why the Representative from Topsham rises.

Representative TEPLER: Thank you, Mr. Speaker. Mr. Speaker, I believe that the Representative is impugning the character of those who support the bill.

On **POINT OF ORDER**, Representative TEPLER of Topsham objected to the comments of Representative LEMELIN of Chelsea because he was impugning the motives of other members of the House.

The SPEAKER: The Chair's decision is that the Member was speaking to the character of the bill, not speaking to any Members in the Body.

The Chair determined that the comments made by Representative LEMELIN of Chelsea did not impugn the motives of the Members of the House.

This being an Constitutional Amendment, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 77 voted in favor of the same and 59 against, and accordingly the Resolution **FAILED FINAL PASSAGE** and was sent to the Senate.

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

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

Representative POIRIER: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise today to recognize members of the Skowhegan wrestling teams, both girls and boys. We have members of our team who have competed and won both girls and boys Class A State Champion matches and I would like to recognize all of them today.

We have Emma Shaw, who won the Girls Class A State Championship, Aidan Clark, Boys Class A State Champion, Mike Welch, Camryn Atwood, Kobe Butters, Boys Class A State Champion. We have managers Katie White, Makayla White, Sophie Noyes and co-head coaches Brooks Thompson and Tenney Noyes with us today. So, please stand with me and congratulate them for their achievements.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act To Require Telecommunications Companies To Divulge Location Information to Law Enforcement When Necessary To Respond to a 9-1-1 Call or Locate a Person in Danger"

(S.P. 492) (L.D. 1581)

Signed:

Senators:

CARNEY of Cumberland
SANBORN of Cumberland

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-443)** on same Bill.

Signed:

Senator:

KEIM of Oxford

Representatives:

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

Representative NEWELL of the Passamaquoddy Tribe - of the House - supports the Minority **Ought to Pass as Amended by Committee Amendment "A" (S-443)** Report.

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-443) AS AMENDED BY SENATE AMENDMENT "A" (S-482)** thereto.

READ.

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

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

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

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

Representative **PICKETT**: Thank you, Mr. Speaker.

The **SPEAKER**: The Member will defer. The Chair would ask the Member to adjust his mic. Thank you. The Member may proceed.

Representative **PICKETT**: Thank you, Mr. Speaker. This bill as amended, also known as the Kelsey Smith Act, would require cellphone companies to provide location records to a requesting law enforcement agency when an individual is thought to be in imminent danger of death or serious physical injury. The sole purpose is to find that individual and get them out of harm's way as quickly as possible. For the purpose of background on this particular bill, the information in this bill. Kelsey Smith, she left her home that day, she was 18 years old and went to the Target department store in Overland, Kansas in June of 2007. An hour after Kelsey disappeared, a signal from her cellphone was picked up. Law enforcement requested Verizon to ping Kelsey's cellphone. Approximately three hours after her abduction, her vehicle was located by law enforcement in the parking lot of Target. Verizon finally, then the search for Kelsey began. Verizon finally provided the information requested three and a half, not three and a half hours but three and a half days later. Once the data was provided to law enforcement, it took law enforcement only 45 minutes to locate Kelsey. 45 minutes. And she was found raped and murdered. 45 minutes. Keep that in your minds. Tragically, as I said, she had been raped and murdered. Kelsey's mother, who contacted the bill's sponsor about this and myself as well, shared information that just a year ago a situation took place in which a telecommunications provider refused to give information without a warrant to law enforcement on a missing person. That was hung up, too and when the person was located, they were deceased. Kelsey's story and the other is just a few examples of this type of tragedy that occurs often. Providing critical data to law enforcement in emergency situations such as Kelsey's can and in most cases will save lives. The amendment to the bill, if it were to pass, replaces the bill to avoid conflicting with the current law governing search warrant exceptions for obtaining location information associated with electronic devices from electronic communication services. This amendment removes the requirement that an electronic communications service that possesses location information associated with an electronic

device agree in good faith with a situation involving danger of death or serious physical injury exists before sharing the location information.

The amendment provides that the electronic communications services remote computing services and location are required to provide the location information that is requested by a government entity in any of the circumstances in which a warrant is not required as currently provided in Maine law, Title 16, Section 650. I have a copy of that law here and I'll read one, there's four exceptions. I'll read the fourth one; danger of death or serious injury. This is current Maine law. If the government entity reasonably believes that an emergency involving imminent danger of death or serious physical injury to a person requires the disclosure without delay of the location information concerning a specific person and that a warrant cannot be obtained in time to prevent the identified danger and the possessor of the location information in good faith believes that an emergency involving danger of death or serious physical injury to a person requires the disclosure without delay. And then it goes on to talk about within a reasonable period of time after seeking disclosure pursuant to this subsection the government entity seeking the location information shall file with the appropriate court a written statement setting forth the facts giving rise to the emergency and the facts as to why that person whose location information was sought and is believed to be important in addressing the emergency. That's current law. All that's being asked in this law is to change that to be required rather than to shall do it, not they can do it in good faith. Mr. Speaker, I ask you and everybody in the House a simple question; if Kelsey Smith was your daughter and 45 minutes later after information was given she was found and alive compared to three and a half days found murdered and raped, why would this bill be a bad bill to allow law enforcement to find people that are out, they're lost. Sometimes it could be somebody that is an Alzheimer patient that gets out of the house and leaves and nobody knows where they are and maybe they have a phone with them. It could be any kind of person out here. This was a tragic incident. They happen all over the country. I ask you, Mr. Speaker, please follow my light and defeat this motion of Ought Not to Pass. Thank you.

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

Representative **MORIARTY**: Thank you, Mr. Speaker and good morning, Fellow Members of the House. I voted in the minority on this bill and voted Ought to Pass as Amended. I would like to explain why. We did have extensive hearings and extensive input. I fully acknowledge that as technology changes, so does our concept of personal privacy. And we haven't seen the end of it; that will be an evolutionary thing as the years go by. And I stipulate that we all have a personal privacy interest in the devices that we carry. In my judgment, that right is or those expectations are personal to one's self and not to the device itself. Now, the question here is what right prevails over extremely exigent circumstances. In my judgment, assuming that a device is in the personal possession of one who has been abducted and whose whereabouts are unknown or if it is in close proximity to that owner's location, then the right of that person to be free from injury, harm and death supersedes that person's expectation in

the privacy of the location of his or her device. I understand that in the case of an abduction a person, the abductor, the offender, may toss the device out the window, may take it from the owner and set it at a tabletop or leave it in a car outside a building. Even if that was the situation and the device were no longer in the possession of the abducted owner, if law enforcement could obtain information as to the last known location of the device, it would greatly assist them in initiating the investigation and determining the location of the owner and would save a great deal of time in that process. If I were the owner of the device and I had been abducted and no one was seeking the content of my device but merely its location, I would say in spite of my rights of personal privacy as to my phone's location, I am more concerned that I stay healthy and alive and I want law enforcement to have the necessary information. This bill has the backing of two major law enforcement agencies and organizations in the State and also that of the Department of Public Safety. Kelsey Smith's Act has been passed in 30 other states. I understand there is some overlap with existing law but there is no downside in my judgment to passing this bill and securing that extra level of protection for those who, in very difficult circumstances, will need it. Thank you, Mr. Speaker.

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

Representative **BABBIDGE**: Thank you, Mr. Speaker. Mr. Speaker, Esteemed Members of the House, I support the motion before us. I really don't take issue with anything the Good Representatives of Dixfield and Cumberland have said. I know that today the State of Kansas is rejoicing but 15 years ago they were mourning the loss of a beautiful young 18-year-old who had merely gone to the grocery store or to the mall to buy a present for her boyfriend and upon leaving the store she was abducted and we later know that she was raped and killed. Yes, it was three and a half days, yes, once the provider released the information her Body was found in a neighboring state. All of that is true and very, very tragic. And the country has had a wave of new legislation to address the issue, starting with Kansas in 2009. The State of Maine was not idle during that time. Our current law has addressed this issue responsibly, in my opinion. One part about the proposal that was brought to our committee that concerned me was service provider immunity. We heard testimony from the Attorney General's Office who, if my notes are correct, said there have been lawsuits against law enforcement and the few that there were were justified, not in Maine, but that current law addresses this issue so that the process is streamlined. We heard testimony from the Maine Civil Liberties Union which, of course, defends our rights of privacy and said that expansion beyond what current law already provides for flexibility is unnecessary. We heard from the Department of Public Safety, which did testify in favor of the bill but said that our current law is excellent and that passage would be symbolic. Current law does say a government entity may obtain the location information without a warrant if the government entity reasonably believes that an emergency involving imminent danger of death or serious physical injury to a person requires the disclosure without delay of location information concerning a specific person and that a warrant cannot be obtained in time to prevent the identified danger.

What Maine law does provide is something that I want. I want law enforcement after the fact, after they've received the information and performed their duties, I want them to submit the reasons for which they applied for a warrantless access to this information because current law requires that after the fact they submit those reasons to the court. I also want large corporations who have private information to be free to face liability if they have handed over that private information without demanding knowledge of exigent circumstances. So, it's for these reasons that I applaud past legislatures for having addressed this situation adequately and I think our privacy protections are currently protected with the current status of our law. So, I urge people to vote for the motion before us. Thank you, Mr. Speaker.

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

Representative **EVANGELOS**: Thank you, Mr. Speaker, Men and Women of the House. I rise in support of the motion. Obviously, a difficult subject. But a high-level officer, Mr. Speaker, of the Maine State Police testified to our committee that the police already have one hundred percent cooperation of the telecommunications companies in this endeavor and he said that this proposed law will do nothing to improve the circumstances on the ground. They're already working together in this endeavor and as the Representative from Kennebunkport mentioned, it's a symbolic gesture. But the facts on the ground are that law enforcement and the telecommunication companies are already cooperating one hundred percent on this. Thank you.

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

Representative **POIRIER**: Thank you, Mr. Speaker. Today we have an opportunity to be proactive and to help save lives. As the Good Representative from Cumberland stated, this bill has the support of both the Maine Chief of Police Association and the Maine Sheriff's Association. And to say it plainly, an excerpt of the testimony of the Maine Sheriff's, excuse me, the Maine Chief of Police Association states; based on our experience, Maine is fortunate that our agencies have been able to obtain this information when it's been necessary, but that has relied upon voluntary cooperation of telecommunications companies. This situation could change. We would rather see this legislation become law rather than wait until there is a tragedy. This bill is not intended to provide information for criminal investigations, nor to bypass the need for a search warrant. It's limited to obtaining the location of a cellphone in case of emergencies. Therefore, I ask you to join me, oppose the pending motion and take the proactive approach. Don't wait until we see a tragedy that could be prevented. Thank you.

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

Representative **COLLAMORE**: Thank you, Mr. Speaker. I had not intended to speak on this, but I had heard some remarks that concerned me. And I agree that we need to be taking a proactive approach. And to give a little bit of a personal spin on this; not that long ago, my grandmother had a medical emergency. While she was not in town, she had gone to Sam's Club up in Bangor, her medical emergency caused her to have confusion. She was trying to figure out where she

was in Bangor so, that we could send emergency personnel to her. We found out after the fact that it was a sugar drop and, thankfully, after searching around and I was stuck down here while this was happening so I'm in panic mode. And we were very lucky because the cellphone provider was willing to work with, this particular provider, with police officers. However, had it been the provider that I use, they would not have been willing and my grandmother could have ended up in the hospital for a very long time just because we couldn't find her and she didn't know what exit she was at. So, I ask you to please oppose the pending motion, follow my light and we can take these preventative measures to help not just those who have been abducted but our elderly who have these kinds of medical emergencies. Thank you.

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

Representative **PICKETT**: Thank you, Mr. Speaker. I just wanted to make a point. It's been said by a couple of the Representatives and rightly so, that the law enforcement can, under current law, request and receive the information. But I want to once again emphasize the point; it's they can, it doesn't mean they have to and it certainly doesn't mean it has to be in a timely fashion. Because if it would've been in a timely fashion the day that Kelsey was lost and it wouldn't've been three and a half days later, she probably would be here with us today.

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

Representative **WARREN**: Thank you, Mr. Speaker. I'll just read the words of Major Bill Ross. Public safety in Maine, specifically the Department of Public Safety and the Maine State Police have not experienced these issues. He's referring to the issues that Kansas experienced. Maine has not experienced these issues regarding a delay in obtaining location data from telecommunication companies in recent years. Exceptions to the warrant requirement give Maine law enforcement the legal grounds to get location data through requests from our dispatch centers. So, just to summarize, Maine is different than Kansas. We don't have that issue here. We can already get the data. Law enforcement can already get the data. Thank you.

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

Representative **HARNETT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the motion before the Body. The original legislation sought to correct a serious problem that had come to light in Kansas. A telecommunications company had refused to provide location information from a young woman's phone, information that was needed to search for her as she had been abducted. This was a tragic case and you've heard from various representatives about that tragedy. In response to that case, the Kelsey Smith Act was developed by her parents and has been introduced in states across the country. And their efforts remind us of the importance of exceptions to the search warrant requirement to obtain location information where there is the danger of death or serious injury.

The Judiciary Committee carefully considered this legislation and as you've heard from other speakers, we learned that unlike Kansas, Maine already gives law

enforcement emergency access to location information without delay. As the Good Representative from Hallowell just stated, we heard from the Maine Department of Public Safety who stated that existing law governing search warrant exceptions to get location information from electronic communications companies functions well in the State of Maine and that this change would be symbolic. Because you've heard much of this before, I will summarize and point out two things; one, the Attorney General of the State of Maine testified about his concerns regarding possible constitutional challenges to this change in law. And I would point out again that current law already has exceptions for emergencies that are very broad, exceptions to the requirement of a warrant. These exceptions include responding to a 9-1-1 call, consent of the owner if they are on the phone and they are lost or in danger, consent of the owner of the phone if it is a 9-1-1 call. And, mostly important, if the government agency reasonably believes there's an imminent danger of injury or death, they can obtain this material without a warrant. I believe in the Fourth Amendment. I believe in the right to privacy and the right to be free from warrantless searches, but I also recognize that there are exigent circumstances where a warrant cannot be acquired. In Maine, we don't have that problem. We have that exception in the law, it works and I don't want to do anything that dilutes or chips away at our Fourth Amendment right under both the Maine and United States Constitution. I ask you to support the pending motion. Thank you.

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

Representative **MORIARTY**: Thank you, Mr. Speaker. My friend, the Good Representative from Hallowell has correctly read from the letter of Major William Ross, writing on behalf of the Department of Public Safety and the Maine State Police. However, I would share with Members of this Body Major Ross's concluding sentences. Safeguarding the process of obtaining this critical information during an emergency is what the Kelsey Smith Act has accomplished in several states throughout our country. This proposed legislation reinforces existing Maine law and could help ensure tragedies of the past are not repeated. For these reasons, I strongly urge the committee to vote Ought to Pass on this bill. 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. 516

YEA - Alley, Andrews, Arford, Babbidge, Bell, Berry, Boyle, Brennan, Brooks, Bryant, Caiazzo, Cardone, Cebra, Cloutier, Collings, Connor, Copeland, Crafts, Craven, Cuddy, Dodge, Dunphy, Evangelos, Evans, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hymanson, Kessler, LaRochelle, Libby, Lookner, Madigan, Matlack, McCrea, McCreight, Melaragno, Meyer, Millett, Morales, O'Neil, Osher, Pebworth, Perry, Pluecker, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stanley, Stover, Supica, Sylvester, Talbot Ross, Tepler, Terry, Tucker, Warren C, Warren S, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Arata, Austin, Bernard, Bickford, Blier, Bradstreet, Carlow, Carmichael, Collamore, Corey, Costain, Crockett, Dillingham, Dolloff, Doudera, Downes, Drinkwater, Ducharme, Foster, Gifford, Greenwood, Griffin, Haggan, Hall, Hanley, Harrington, Head, Hepler, Hutchins, Javner, Kinney, Landry, Lemelin, Lyford, Martin J, Martin R, Martin T, Mason, Millett, Moriarty, Morris, Nadeau, Newman, O'Connell, O'Connor, Ordway, Parry, Paulhus, Perkins, Pickett, Pierce, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Theriault, Tuell, Wadsworth, White B, White D.

ABSENT - Blume, Faulkingham, Grignon, Lyman, Mathieson, McDonald, Perry, Reckitt, Sharpe, Thorne, Underwood.

Yes, 71; No, 65; Absent, 11; Vacant, 4; Excused, 0.

71 having voted in the affirmative and 65 voted in the negative, 4 vacancies with 11 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass** on Bill "An Act Regarding Contributing to Candidates and Political Action Committees"

(S.P. 619) (L.D. 1782)

Signed:

Senator:

HICKMAN of Kennebec

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** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

READ.

On motion of Representative CAIAZZO of Scarborough, 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** in concurrence.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-899)** on Bill "An Act To Implement the Recommendations of the Ending Hunger by 2030 Advisory Group"

(H.P. 127) (L.D. 174)

Signed:

Senators:

DILL of Penobscot
BLACK of Franklin
MAXMIN of Lincoln

Representatives:

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

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

Signed:

Representative:

UNDERWOOD of Presque Isle

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-899)** was **READ** by the Clerk.

Representative PLUECKER of Warren **PRESENTED House Amendment "A" (H-925)** to **Committee Amendment "A" (H-899)**, which was **READ** by the Clerk.

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

Representative **PLUECKER**: Thank you, Mr. Speaker. I just wanted to explain quickly this House Amendment drastically reduces the fiscal note on the bill and moves the language, almost exactly the same language from the title that governs fifth to the Title seven which deals with DACF. Thank you.

Subsequently, **House Amendment "A" (H-925)** to **Committee Amendment "A" (H-899)**, was **ADOPTED**.

Committee Amendment "A" (H-899) as Amended by **House Amendment "A" (H-925)** thereto was **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-899) as Amended by House Amendment "A" (H-925)** thereto and sent for concurrence.

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-893)** on Bill "An Act To Require Training in Racial Issues, Racial Justice and Social Issues at the Maine Criminal Justice Academy and To Establish Additional Requirements for Law Enforcement Officers and Candidates"

(H.P. 1063) (L.D. 1447)

Signed:

Senator:

DESCHAMBAULT of York

Representatives:

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

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

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

NEWMAN of Belgrade
PICKETT of Dixfield
RUDNICKI of Fairfield

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-893)** 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-893)** and sent for concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-918)** on Bill "An Act To Provide More Options to Maine Electric Service Customers and Support Maine's Climate Goals"

(H.P. 222) (L.D. 318)

Signed:

Senators:

LAWRENCE of York
VITELLI of Sagadahoc

Representatives:

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

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

Signed:

Senator:

STEWART of Aroostook

Representatives:

CARLOW of Buxton
FOSTER of Dexter
GRIGNON of Athens
WADSWORTH of Hiram

READ.

On motion of Representative BERRY of Bowdoinham, **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-917)** on Bill "An Act To Ensure That Municipalities and Multimunicipal Regions of Every Size and Capacity Have Guidance on Climate Adaptation and Resilience Strategies for Policy, Implementation and Investment Decision Support"

(H.P. 1205) (L.D. 1616)

Signed:

Senators:

BRENNER of Cumberland
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:

Senator:

BENNETT of Oxford

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 as Amended** Report.

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-907)** on Bill "An Act To Amend the Laws Regarding Health and Human Services" (H.P. 277) (L.D. 393)

Signed:

Senators:

CLAXTON of Androscoggin
BALDACCI of Penobscot

Representatives:

MEYER of Eliot
CRAVEN of Lewiston
MADIGAN of Waterville
PERRY of Calais
STOVER of Boothbay
ZAGER of Portland

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

Signed:

Senator:

MOORE of Washington

Representatives:

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

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-907)** 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-907)** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Expand the MaineCare Program To Cover All Citizens of the State"

(H.P. 1197) (L.D. 1608)

Signed:

Senator:

MOORE of Washington

Representatives:

MEYER of Eliot
CONNOR of Lewiston
CRAVEN of Lewiston
GRIFFIN of Levant
JAVNER of Chester
LEMELIN of Chelsea
PERRY of Calais
STOVER of Boothbay

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-920)** on same Bill.

Signed:

Senators:

CLAXTON of Androscoggin
BALDACCI of Penobscot

Representatives:

MADIGAN of Waterville
ZAGER of Portland

READ.

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act To Make MaineCare Rules Pertaining to Global Home and Community-based Services Waiver Programs and Person-centered Planning and Settings Major Substantive Rules" (EMERGENCY)

(H.P. 1324) (L.D. 1773)

Signed:

Senators:

CLAXTON of Androscoggin
BALDACCI of Penobscot
MOORE of Washington

Representatives:

MEYER of Eliot
CONNOR of Lewiston
GRIFFIN of Levant
JAVNER of Chester
LEMELIN of Chelsea
MADIGAN of Waterville
PERRY of Calais
STOVER of Boothbay
ZAGER of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-908)** on same Bill.

Signed:

Representative:

CRAVEN of Lewiston

READ.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-905)** on Bill "An Act To Enact the Maine Data Collection Protection Act"

(H.P. 669) (L.D. 913)

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" (H-905)** Report.

READ.

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

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

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

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

Representative **HAGGAN**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm opposed to the motion before us as it is making it harder for landlords to collect info on future tenants. It limits the public accessibility of certain court records that are part of eviction actions. It provides that records are available only at the courthouse and not online if the eviction action or small claims action is resolved by agreement of the parties as dismissed. Bills like this ultimately drive up the price of affordable housing. This is yet another attack on those who are trying to work to provide housing in our State. Thank you, Mr. Speaker.

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

Representative **ARATA**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I had the privilege to be a member of the Commission to Increase Housing Opportunities in Maine. And one of the strategies the commission developed was to get more regular people involved in the housing

business by encouraging the development of up to four-unit properties. These small multi-family homes are more likely to be owner-occupied and owner-managed, with the pride of ownership that makes good neighborhoods. However, property management isn't an easy business and I'm often asked why anybody would want to be in this business. I'm sure you've heard the horror stories of tenants who trash their apartments and terrorize their neighbors. In fact, three landlords were murdered just last year. You've also probably heard of so-called professional tenants who get into an apartment and then refuse to pay. They take advantage of the judicial system by delaying evictions until after living in an apartment for free for a substantial amount of time. All of these things can bankrupt a small landlord and this is why new landlords are counseled about how important an eviction records check is when screening potential tenants. However, LD 913 will make it more difficult to do this, resulting in bad experiences for new landlords so fewer people choose to become housing providers. In order to increase the supply of good quality housing and thereby lowering the market rent in Maine, we need more people to choose to become housing providers, not fewer. More information about eviction history should be available, not less. This would allow a conversation to take place between the tenant applicant and a landlord so they can make a good decision. Also, as the housing supply increases, more landlords will be willing to fill their vacancies with those who have had an eviction on their record or other issues. In order to do this, we need to increase the housing supply and not scare away potential landlords. So, please oppose this motion which would decrease the housing supply. 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. 517

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

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

ABSENT - Blume, Crockett, Faulkingham, Grignon, Lyman, Mathieson, McDonald, Perry, Reckitt, Sharpe, Thorne, Underwood.

(H.P. 580) (L.D. 775)

Yes, 74; No, 61; Absent, 12; Vacant, 4; Excused, 0.
74 having voted in the affirmative and 61 voted in the negative, 4 vacancies with 12 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-905)** 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-905)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-913)** on Bill "An Act To Amend Certain Employment Laws To Help Front-line and Other Workers"

(H.P. 336) (L.D. 460)

Signed:

Senators:

DAUGHTRY of Cumberland
HICKMAN of Kennebec

Representatives:

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

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
MORRIS of Turner
PRESCOTT of Waterboro

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-913)** 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-913)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "B" (H-915)** on Bill "An Act To Include within the Definitions of 'Public Employee' and 'Judicial Employee' Those Who Have Been Employed for Less Than 6 Months"

Signed:

Senators:

DAUGHTRY of Cumberland
HICKMAN of Kennebec

Representatives:

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

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

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

READ.

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

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

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

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

Representative **BRADSTREET**: Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to the pending motion. LD 775 essentially takes away much of what current probationary periods allow; a separation from employment during the first six months of employment during which time both the employee and employer enjoy a feeling-out period, to the benefit of both. This will undermine a long-time practice that is very useful where employees can just, who are just not working out can be separated without a costly and complicated process. It's been working well for years and why jeopardize it. I urge you to join me in voting against the pending motion. Thank you, Mr. Speaker.

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

Representative **SYLVESTER**: Thank you, Mr. Speaker. I appreciate the comments from the Good Representative from Vassalboro but, in fact, the employees would still be in a probationary status during this time. They would be at-will employees just as they would in any other probationary period. This agreement that we see before us has come in front of us a couple of times because it's the fruit of negotiations between the unions which represent these workers and the executive and all of those folks who champion that the process should be solved through those negotiations should support this legislation and this motion. Thank you, Mr. Speaker.

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

ROLL CALL NO. 518

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

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

ABSENT - Blume, Faulkingham, Grignon, Lyman, Mathieson, McDonald, Perry, Reckitt, Sharpe, Thorne, Underwood, Warren.

Yes, 76; No, 59; Absent, 12; Vacant, 4; Excused, 0.

76 having voted in the affirmative and 59 voted in the negative, 4 vacancies with 12 being absent, and accordingly the Majority Ought to Pass as Amended Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "B" (H-915)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "B" (H-915)** 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. 82) (L.D. 116) Bill "An Act To Allow the Commissioner of Inland Fisheries and Wildlife To Authorize the Hunting of Antlerless Deer without a Permit in Certain Areas" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-903)**

(H.P. 874) (L.D. 1196) Bill "An Act Regarding Targets for Health Plan Investments in Primary Care and Behavioral Health" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-911)**

(H.P. 1355) (L.D. 1822) Bill "An Act To Improve Access to Behavioral Health Services by Prohibiting Cost Sharing by Insurers" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-910)**

(H.P. 1384) (L.D. 1874) Bill "An Act To Clarify COVID-19 Paid Leave for School Employees" (EMERGENCY) Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-916)**

(H.P. 1422) (L.D. 1916) Bill "An Act To Create a Legal Defense Fund for the Maine Lobster Industry" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-914)**

(H.P. 1466) (L.D. 1971) Bill "An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Remote Participation" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-904)**

(H.P. 1483) (L.D. 1996) Bill "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2022 and June 30, 2023" (EMERGENCY) Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-919)**

(H.P. 1492) (L.D. 2006) Bill "An Act To Improve the Low-income Home Energy Assistance Program" (EMERGENCY) Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-900)**

(H.P. 1513) (L.D. 2031) Bill "An Act To Allow Outdoor Stadiums To Sell Spirits" (EMERGENCY) Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-912)**

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.

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

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

(H.P. 455) (L.D. 619) Bill "An Act To Allow Christine Pratt To Be Buried at the Southern Maine Veterans Cemetery" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-921)**

(H.P. 1326) (L.D. 1775) Resolve, Regarding MaineCare Funding for Maine Schools Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-923)**

(H.P. 1416) (L.D. 1910) Bill "An Act To Improve Children's Mental Health by Requiring Insurance Coverage for Certain Mental Health Treatment" (EMERGENCY) Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-924)**

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**.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "B" (H-906)** on Bill "An Act Concerning Nondisclosure Agreements in Employment" (H.P. 711) (L.D. 965)

Signed:

Senators:

DAUGHTRY of Cumberland
HICKMAN of Kennebec

Representatives:

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

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
MORRIS of Turner

READ.

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

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

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

The **SPEAKER**: 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. 519

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

NAY - Austin, Bernard, Bickford, Cebra, Costain, Dillingham, Dolloff, Downes, Drinkwater, Foster, Griffin, Haggan, Hall, Hanley, Head, Hutchins, Javner, Lemelin, Libby, Lyford, Mason, Millett, Morris, O'Connor, Ordway, Parry, Perkins, Poirier, Prescott, Roche, Sampson, Skolfield, Stearns, Stetkins, Tuell, Wadsworth.

ABSENT - Andrews, Arata, Blier, Blume, Bradstreet, Carlow, Carmichael, Collamore, Connor, Corey, Ducharme, Faulkingham, Gifford, Greenwood, Grignon, Harrington,

Kinney, Lyman, Martin, Mathieson, McDonald, Nadeau, Newman, Paulhus, Perry, Pickett, Quint, Reckitt, Rudnicki, Sharpe, Stanley, Theriault, Thorne, Underwood, White.

Yes, 76; No, 36; Absent, 35; Vacant, 4; Excused, 0.

76 having voted in the affirmative and 36 voted in the negative, 4 vacancies with 35 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "B" (H-906)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "B" (H-906)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-901)** on Resolve, Regarding Legislative Review of Portions of Chapter 9: Rules Governing Administrative Civil Money Penalties for Labor Law Violations, a Major Substantive Rule of the Department of Labor, Bureau of Labor Standards (EMERGENCY) (H.P. 1432) (L.D. 1925)

Signed:

Senators:

DAUGHTRY of Cumberland
HICKMAN of Kennebec

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-902)** on same Resolve.

Signed:

Senator:

GUERIN of Penobscot

Representatives:

BRADSTREET of Vassalboro
MORRIS of Turner

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-901)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-901)** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-909)** on Bill "An Act To Improve Testing Requirements for Adult Use Marijuana" (EMERGENCY)

(H.P. 1471) (L.D. 1985)

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:

Representatives:

COREY of Windham
DOLLOFF of Milton Township
KINNEY of Knox

READ.

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

The Bill was **READ ONCE.**

Committee Amendment "A" (H-909) was **READ** by the Clerk.

Representative CAIAZZO of Scarborough **PRESENTED House Amendment "A" (H-922)** to **Committee Amendment "A" (H-909)**, which was **READ** by the Clerk.

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

Representative **CAIAZZO:** Thank you, Mr. Speaker. Mr. Speaker, the amendment simply removes the emergency preamble and the emergency clause from this bill and that's all it does.

Subsequently, **House Amendment "A" (H-922)** to **Committee Amendment "A" (H-909)** was **ADOPTED.**

Committee Amendment "A" (H-909) as Amended by **House Amendment "A" (H-922)** thereto was **ADOPTED.**

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-909) as Amended by House Amendment "A" (H-922)** thereto and sent for concurrence.

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

ENACTORS

Emergency Measure

An Act Regarding Delegating Authority for Services Performed by Emergency Medical Services Personnel in Health Care Facilities

(S.P. 633) (L.D. 1858)
(C. "A" S-478)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 103 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Facilitate Access to Heating Assistance

(S.P. 702) (L.D. 1966)
(C. "A" S-475)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 107 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Provide Maine Children Access to Affordable Health Care

(S.P. 158) (L.D. 372)
(C. "C" S-476)

An Act To Clarify Health Insurance Coverage for Postpartum Care

(S.P. 443) (L.D. 1357)
(C. "A" S-470)

An Act To Require Health Insurance Carriers and Pharmacy Benefits Managers To Appropriately Account for Cost-sharing Amounts Paid on Behalf of Insureds

(S.P. 621) (L.D. 1783)
(C. "A" S-479)

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, Clarifying the Conveyance of Land to the Passamaquoddy Tribe in the Town of Meddybemps

(H.P. 1518) (L.D. 2036)

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 Prohibit Discrimination in Employment and School Based on Hair Texture or Hairstyle

(S.P. 237) (L.D. 598)

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

On motion of Representative SUPICA of Bangor, was **SET ASIDE.**

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

Representative **SUPICA**: Thank you, Mr. Speaker. I rise today to explain the urgent and critical need for LD 598. Some people might think that this type of discrimination simply does not happen in our schools, in our workplaces, or maybe that it used to happen a long time ago but not anymore. The truth is there are many reasons we don't hear about this discrimination, in part because of fear of retribution by school staff and fellow students. Yesterday, a brave young woman reached out to me and spoke with me about this bill. We spoke of the many stories and traditions around the world relating to hair, including about Sampson and how his hair represented his faith and his relationship to God. Ariana shared how growing up in the Bangor school system she suffered constant discrimination and abuse targeted at her hair and her hair styles. As a young third grader, Ariana's teacher, after tugging and pulling on her hair, cut her beads off and sent them home in a plastic bag for her mother. She recalled how her mother had to deal with that and explained to her why someone she was supposed to respect and trust would denigrate such a normal, natural, beautiful part of herself; a part she never questioned before. She was consistently advised to straighten her hair to better fit in with classmates and the cheer team. She told me she knew the advice was well meaning as they were just trying to ease the daily bullying she faced. But the damage was all the same. What these well-meaning classmates and teachers were asking of her was to spend time, money and resources on burning, straightening and applying chemicals to her natural hair in order to fit in. She learned early on that to be accepted by the people in her community, not only did she need to spend so much energy to change herself but also, more fundamentally, she was being told that her natural self was not good enough, that there was something innate about her that brought upon this discrimination and harassment, that to some extent it was her fault and responsibility to change in order to exist in this society without pain.

The pain she suffered had real tangible impacts on her health. By the time Ariana reached the 10th grade, she recalls, I stopped eating and got down 75 pounds because I wanted to blend in. I wanted to be like everyone else. My senior year I spent recovering from this you should be like everybody else hole that I had been pushed into. I gained my weight back and cut off all my hair. I was so tired of being defined by my, I was so tired of it being my defining feature and I was tired of not having my beautiful huge curls anymore. I was tired of the weight that this hair carried and the years I spent ruining it and myself. As Ariana says, there's power in hair and there's power in controlling it. Seeking to contort or alter a child's natural hair for the sole purpose of making others around them more comfortable goes against the very values we hope to instill in our children. I regret to say that I was shocked by her story. I regret it because it's not a lived experience that I've had before or one that I chose to make myself aware of. Ariana was hesitant to share this with me because she's so close to graduation and is still concerned about retribution. But she asked that I rise and share with you anyways because many of us don't understand how deeply painful and destructive the abuse that this law could prohibit can be.

Ariana asked me the following questions and I would now like to ask them of all of you. How long will the next little girl have to stay silent before she gets her chance to tell her story? How much will the next little girl have to go through until somebody decides that her story is important enough to tell? What else do we have to go through for you to understand that something is not right and that something must be done? Thank you.

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

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

The SPEAKER: The Member may proceed.

Representative **BICKFORD**: My question is in regards to this bill, if you're a high school coach, are you now not able to deal with length of hair, color of hair, beards, possibly, that may interfere with your running of your team, whatever team that might be, on the men's side?

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

Representative **DILLINGHAM**: Thank you, Mr. Speaker. I would ask any members on the Committee of Education who would want to follow up. But I believe when you're talking about sporting events, any of those rules around individuals participating in sporting events around safety are handled by the Maine Principals Association and dealt with through that group. So, I don't believe that this speaks to that. Thank you.

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

CONSENT CALENDAR

First Day

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

(S.P. 143) (L.D. 337) Bill "An Act Regarding Energy, Utilities and Technology" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-507)**

(S.P. 57) (L.D. 794) Bill "An Act To Maintain Maine's System of Therapeutic Foster Care for Children through the Creation of a Nonprofit Risk Indemnification Trust" (EMERGENCY) Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-501)**

(S.P. 343) (L.D. 1075) Bill "An Act To Protect Public Lands" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-493)**

(S.P. 368) (L.D. 1107) Bill "An Act To Create Needed Broadband Infrastructure in Rural Maine through the Establishment of a Satellite-based Broadband Grant Program" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-496)**

(S.P. 428) (L.D. 1331) Bill "An Act To Make Individual and Small Group Health Insurance More Affordable in Certain High-premium Counties" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-487)**

(S.P. 520) (L.D. 1636) Bill "An Act To Reduce Prescription Drug Costs by Using International Pricing" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-488)**

(S.P. 608) (L.D. 1750) Bill "An Act To Create a Framework for Maine's Spirits Contract" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-490)**

(S.P. 622) (L.D. 1784) Bill "An Act To Ensure Legislative Review of Rules for Maine's Medical Use of Marijuana Act" (EMERGENCY) Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-503)**

(S.P. 688) (L.D. 1952) Resolve, To Extend the Commission To Develop a Paid Family and Medical Leave Benefits Program (EMERGENCY) Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-491)**

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

There being no objection, the Senate Papers were **PASSED TO BE ENGROSSED as Amended** in concurrence.

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

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

(H.P. 880) (L.D. 1202) Bill "An Act To Establish a Wood-fired Combined Heat and Power Program" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-932)**

(H.P. 1470) (L.D. 1984) Resolve, Authorizing the Director of the Bureau of Parks and Lands To Renew a Lease of Certain Land in Aroostook State Park to the Federal Aviation Administration Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-933)**

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**.

REPORTS OF COMMITTEE
Divided Reports

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-928)** on Resolve, Regarding Legislative Review of Portions of Chapter 60: New School Siting Approval, Portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects and Portions of Chapter 125: Basic School Approval Standards: Public Schools and School Administrative Units, Major Substantive Rules of the Department of Education, State Board of Education (EMERGENCY)

(H.P. 1446) (L.D. 1935)

Signed:
Senators:

RAFFERTY of York
DAUGHTRY of Cumberland
WOODSOME of York

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-929)** on same Resolve.

Signed:

Representatives:

LYMAN of Livermore Falls
SAMPSON of Alfred

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-928)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-928)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-927)** on Bill "An Act To Improve Labor Laws for Workers in Maine"

(H.P. 130) (L.D. 177)

Signed:

Senators:

DAUGHTRY of Cumberland
HICKMAN of Kennebec

Representatives:

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

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

Signed:
Senator: GUERIN of Penobscot

Representatives:
BRADSTREET of Vassalboro
DRINKWATER of Milford
MORRIS of Turner

READ.

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

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

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

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

Representative **BRADSTREET**: Thank you. I appreciate the sentiment behind this, but this deals with registered apprenticeship programs, which is good, but in reality, the funding will be distributed in a disproportional manner, which is why I am voting against it. Thank you, Mr. Speaker.

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

ROLL CALL NO. 520

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, Hasenhus, Hepler, Hymanson, Kessler, Landry, LaRochelle, Lookner, Madigan, Martin J, Martin R, Matlack, McCrea, McCreight, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Peabworth, Perry, Pierce, Pluecker, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, 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, Cebra, Collamore, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Foster, Greenwood, Griffin, Haggan, Hall, Hanley, Head, Hutchins, Javner, Lemelin, Libby, Lyford, Mason, Millett, Morris, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Tuell, Wadsworth.

ABSENT - Blume, Connor, Faulkingham, Gifford, Grignon, Harrington, Kinney, Lyman, Martin, Mathieson, McDonald, Nadeau, Paulhus, Perry, Reckitt, Sharpe, Theriault, Thorne, Underwood, White.

Yes, 76; No, 51; Absent, 20; Vacant, 4; Excused, 0.

76 having voted in the affirmative and 51 voted in the negative, 4 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-927)** 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-927)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-926)** on Bill "An Act To Provide Incentives to Unemployed Workers To Become Part of the Caregiver Workforce" (EMERGENCY) (H.P. 654) (L.D. 898)

Signed:
Senators: DAUGHTRY of Cumberland
HICKMAN of Kennebec

Representatives:
SYLVESTER of Portland
GERE of Kennebunkport
PEB WORTH of Blue Hill
ROEDER of Bangor
WARREN of Scarborough

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

Signed:
Senator: GUERIN of Penobscot

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

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-926)** 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-926)** and sent for concurrence.

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

Five Members of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-931)** on Bill "An Act Pertaining to Transmission Lines Not Needed for Reliability or Local Generation"

(H.P. 123) (L.D. 170)

Signed:

Senator:

VITELLI of Sagadahoc

Representatives:

BERRY of Bowdoinham
GROHOSKI of Ellsworth
KESSLER of South Portland
SACHS of Freeport

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

Signed:

Senator:

STEWART of Aroostook

Representatives:

CARLOW of Buxton
FOSTER of Dexter
GRIGNON of Athens
WADSWORTH of Hiram

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-931)** 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-931)** and sent for concurrence.

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act To Protect School Administration Officials from Harassment and Abuse"

(S.P. 676) (L.D. 1939)

Signed:

Senators:

DESCHAMBAULT of York
CYRWAY of Kennebec

Representatives:

WARREN of Hallowell
COSTAIN of Plymouth
NEWMAN of Belgrade
PICKETT of Dixfield
PLUECKER of Warren
RUDNICKI of Fairhill
SHARPE of Durham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-506)** on same Bill.

Signed:

Representatives:

LOOKNER of Portland
MORALES of South Portland
RECKITT of South Portland

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

READ.

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

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-486)** on Bill "An Act To Amend the Regional Adjustment Index To Ensure School Districts Do Not Receive Less than the State Average for Teacher Salaries"

(S.P. 121) (L.D. 270)

Signed:

Senators:

RAFFERTY of York
DAUGHTRY of Cumberland
WOODSOME of York

Representatives:

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

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

Signed:

Representative:

CROCKETT of Portland

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-486)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-486)** 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-486)** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-485)** on Bill "An Act To Maintain the Current Level of Education Funding" (EMERGENCY)

(S.P. 393) (L.D. 1207)

Senators:

RAFFERTY of York
DAUGHTRY of Cumberland
WOODSOME of York

Representatives:

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

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

Signed:

Representative:
SAMPSON of Alfred

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-485)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-485)** 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-485)** in concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Resolve, To Review the Effects of the Deregulation of Maine Utilities

(S.P. 348) (L.D. 1079)

Signed:

Senators:
LAWRENCE of York
VITELLI of Sagadahoc

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-489)** on same Resolve.

Signed:

Senator:
STEWART of Aroostook

Representatives:

CARLOW of Buxton
FOSTER of Dexter
WADSWORTH of Hiram

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

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

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-483)** on Bill "An Act To Support Municipal Broadband Infrastructure through Incentives and Competition"

(S.P. 664) (L.D. 1894)

Signed:

Senators:
LAWRENCE of York
VITELLI of Sagadahoc

Representatives:

BERRY of Bowdoinham
CARLOW of Buxton
CUDDY of Winterport
GROHOSKI of Ellsworth
KESSLER of South Portland
SACHS of Freeport
ZEIGLER of Montville

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

Signed:

Senator:
STEWART of Aroostook

Representatives:

FOSTER of Dexter
WADSWORTH of Hiram

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-483)**.
READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-483)** 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-483)** in concurrence.

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-499)** on Bill "An Act To Ensure Access to Prescription Contraceptives"

(S.P. 691) (L.D. 1954)

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 as Amended by Committee Amendment "B" (S-500)** on same Bill.

Signed:
Senator:

STEWART of Aroostook

Representatives:

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

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-499)**.

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (S-499)** 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-499)** 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-502)** on Bill "An Act To Establish the Maine Space Corporation"

(S.P. 678) (L.D. 1923)

Signed:
Senators:

CURRY of Waldo
CYRWAY of Kennebec
RAFFERTY of York

Representatives:

ROBERTS of South Berwick
AUSTIN of Gray
BERNARD of Caribou
COLLAMORE of Pittsfield
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:

Representatives:

ANDREWS of Paris
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-502)**.

READ.

On motion of Representative ROBERTS of South Berwick, the Majority **Ought to Pass as Amended** Report was **ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (S-502)** 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-502)** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-497)** on Bill "An Act To Eliminate Conflicts of Interest with Respect to the Payment of Fees to Bail Commissioners"

(S.P. 612) (L.D. 1856)

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-497)** 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-497)**.

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. 521

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, Matlack, McCrea, McCreight, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry, Pierce, Pluecker, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, 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, Cebra, Collamore, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Foster, Greenwood, Griffin, Haggan, Hall, Hanley, Head, Hutchins, Javner, Lemelin, Libby, Lyford, Mason, Millett, Morris, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Sampson, Skolfield, Stanley, Stearns, Stetkis, Tuell, Wadsworth, White.

ABSENT - Blume, Connor, Faulkingham, Gifford, Grignon, Harrington, Kinney, Lyman, Martin, Mathieson, McDonald, Nadeau, Paulhus, Perry, Reckitt, Rudnicki, Sharpe, Theriault, Thorne, Underwood.

Yes, 76; No, 51; Absent, 20; Vacant, 4; Excused, 0.

76 having voted in the affirmative and 51 voted in the negative, 4 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" (S-497)** 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-497)** in concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-492)** on Resolve, To Review Barriers to Regional Solutions for Housing Choices (S.P. 408) (L.D. 1240)

Signed:
Senators: DAUGHTRY of Cumberland
HICKMAN of Kennebec

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

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

Signed:
Senator: GUERIN of Penobscot

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

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-492)**.

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (S-492)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-492)** in concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-498)** on Bill "An Act To Help Alleviate Maine's Housing Shortage and Change the Membership of the Maine State Housing Authority" (EMERGENCY)

(S.P. 699) (L.D. 1961)

Signed:

Senators:

DAUGHTRY of Cumberland
HICKMAN of Kennebec

Representatives:

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

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

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

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-498)**.

READ.

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

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

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

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

Representative **BRADSTREET**: Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I don't really think this bill should pass. Even though it has been amended from its original form, the language before us regarding the qualifications to serve as a commissioner on the Maine Housing Board is too prescriptive to allow the chief executives to appoint members at their discretion even to the point of needing to exclude those with broad areas of expertise who could prove very beneficial to the workings of the agency. There's been no evidence at all that shows that the current makeup of the Maine State Housing Authority Board of Commissioners has not done its work in a professional and inclusive manner, so, why are we looking to change it in a way that could easily undermine the purpose and cause it lose its focus on educating and providing affordable housing for all Mainers. This is certainly a very plausible unintended

consequence of the adoption of this bill and I hope you will join me in voting against it. Thank you, Mr. Speaker.

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

Representative **SYLVESTER**: Thank you, Mr. Speaker. I wanted to speak briefly to the first part of this bill, which is somewhat aspirational language in order to make sure that all of the departments in the State who are working on land use or housing or affordable housing were working together in concert and I think that that's certainly a piece of this bill that's extremely important.

In terms of the seats on the board, they had not been reviewed for a very long time, they were reviewed in cooperation with the Maine State Housing Authority and so, that is why I support this motion. 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. 522

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, Matlack, McCrea, McCreight, Melaragno, Meyer, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry, Pierce, Pluecker, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, 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, Cebra, Collamore, Corey, Costain, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Foster, Greenwood, Griffin, Haggan, Hall, Hanley, Head, Hutchins, Javner, Kinney, Lemelin, Libby, Lyford, Mason, Millett, Morris, Newman, Ordway, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Roche, Rudnicki, Sampson, Skolfield, Stanley, Stearns, Stetkis, Tuell, Wadsworth, White.

ABSENT - Blume, Connor, Faulkingham, Gifford, Grignon, Harrington, Lyman, Martin, Mathieson, McDonald, Nadeau, O'Connor, Paulhus, Perry, Reckitt, Sharpe, Theriault, Thorne, Underwood.

Yes, 76; No, 52; Absent, 19; Vacant, 4; Excused, 0.

76 having voted in the affirmative and 52 voted in the negative, 4 vacancies with 19 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-498)** 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-498)** in concurrence.

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

On motion of Representative POIRIER of Skowhegan, the House adjourned at 2:53 pm until 10:00 a.m., Thursday, April 7, 2022; in honor and lasting tribute to Warren Cunningham Shay, of Skowhegan.