

# 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  
18th Legislative Day  
Monday, April 18, 2022

Representative BABBIDGE of Kennebunk assumed the Chair.

Calling of the House to Order by the Speaker Pro Tem.  
Prayer by Pastor Jacob Clement, South Penobscot Baptist Church, Penobscot.

National Anthem by Capital Strings, Pineland Suzuki School, Manchester.

Pledge of Allegiance.

The Journal of Friday, April 15, 2022 was read and approved.

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

**COMMUNICATIONS**

The Following Communication: (S.C. 1263)

**MAINE SENATE  
130TH LEGISLATURE**

April 14, 2022

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

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Minority Ought Not to Pass Report from the Committee on Health and Human Services on Bill "An Act To Establish Limits on the Number of Hours Worked by and Workloads of Child Protective Services Caseworkers in the Department of Health and Human Services" (H.P. 1358) (L.D. 1825) in non-concurrence.

Best Regards,

S/Darek M. Grant

Secretary of the Senate

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (S.C. 1264)

**MAINE SENATE  
130TH LEGISLATURE**

April 14, 2022

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

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it Indefinitely Postponed 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) and all accompanying papers in non-concurrence.

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.**

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**ORDERS**

On motion of Representative TALBOT ROSS of Portland, the following Joint Resolution: (H.P. 1529) (Cosponsored by Senator HICKMAN of Kennebec and Representatives: DILLINGHAM of Oxford, DUNPHY of Old Town, EVANGELOS of Friendship, LOOKNER of Portland, PICKETT of Dixfield, PLUECKER of Warren, SHEEHAN of Biddeford, WARREN of Hallowell) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214)

**JOINT RESOLUTION RECOGNIZING  
APRIL 2022 AS SECOND CHANCE MONTH**

WHEREAS, every person is endowed with human dignity and value; and

WHEREAS, redemption and second chances are American values; and

WHEREAS, an estimated 65,000,000 American citizens have a criminal record; and

WHEREAS, individuals returning from prison and those who have paid their debts after committing a crime face a "second prison" of stigma and obstacles, also known as collateral consequences; and

WHEREAS, individuals with criminal histories encounter significant barriers such as an inability to find housing, employment or education, regain voting rights, volunteer in their communities, secure identification documentation and pay off substantial financial debt accrued as a result of conviction and incarceration; and

WHEREAS, these barriers can contribute to recidivism, which increases victimization, decreases public safety and results in lost human capital and economic output for communities; and

WHEREAS, since 2020, 2,266 individuals have been released to the community from a Department of Corrections facility; and

WHEREAS, the supervised community confinement program provides a supported transition back into communities by affording approved residents the opportunity to finish their sentences while living in communities with the needed supports in place, including housing, education, employment and wellness services, thereby increasing the likelihood of their success when they are removed from Department of Corrections supervision; and

WHEREAS, as of April 2022, there were 59 residents participating in the supervised community confinement program; and

WHEREAS, the designation of April as Second Chance Month can contribute to increased public awareness about the "second prison," the need for closure for those who have paid their debts and opportunities for individuals, employers, congregations and communities to extend second chances; 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 April 2022 as Second Chance Month, and we urge citizens to observe this month through actions and programs that promote awareness of the "second prison" and provide closure for those who have paid their debts.

**READ and ADOPTED.**

Sent for concurrence.

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On motion of Representative TALBOT ROSS of Portland, the following Joint Order: (H.P. 1530)

ORDERED, the Senate concurring, that Bill, "An Act To Provide Passamaquoddy Tribal Members Access to Clean Drinking Water," H.P. 662, L.D. 906, and all its accompanying papers, be recalled from the Governor's desk to the House.

**READ and PASSED.**

Sent for concurrence.

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**SPECIAL SENTIMENT CALENDAR**

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

**In Memory of:**

Jesse Sean Harvey, of Portland, a well-known recovery advocate. Mr. Harvey devoted his life to serving and saving the lives of people who use drugs and all marginalized people he met. As the founder of Journey House Recovery, Portland Overdose Prevention Society and the Church of Safe Injection, he worked tirelessly for all of the voiceless, suffering people throughout Maine and beyond, and many people attribute their recovery and even the fact they are alive to his kindness, determination and support. At 28 years of age, Mr. Harvey died of an overdose. Mr. Harvey will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

(SLS 966)

On **OBJECTION** of Representative DUNPHY of Old Town, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

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**UNFINISHED BUSINESS**

The following matters, in the consideration of which the House was engaged at the time of adjournment Friday, April 15, 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 Steve Willis, of Gorham

(HLS 740)

TABLED - April 11, 2022 (Till Later Today) by Representative BOYLE of Gorham.

PENDING - **PASSAGE.**

The **SPEAKER PRO TEM**: The Chair recognizes the Representative from Gorham, Representative Boyle.

Representative **BOYLE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, Steve Willis of Gorham has been a member of the Southern Maine Community College Fire Science Program and Maine's fire service community for over 45 years. His plan is to retire effective June 1, 2022. He is a long-time member of the National Fire Protection Association, the Association of North American Fire Training Directors and an instructor at the National Fire Academy in Emmitsburg, Maryland. Earlier in his career, Steve was a member of the fire and rescue staff in Portland, Windham and Gorham and was the State of Maine Fire Administrator, providing training to Maine's firefighters in all 16 counties. Steve is currently the chair of SMCC's fire science associate degree program in South Portland, which

prepares firefighters to enter today's fire service with the skills and abilities to provide the highest level of professional and compassionate care to Maine's residents and visitors. Steve's collaboration and leadership directing the fire science program has brought students from across the United States and many never leave Maine, which is good for fire and rescue departments searching for high-quality and well-trained personnel. Steve's hard work, vision and dedication has made this program one of the best in the United States. Steve recently established the Steve Willis Fire and EMS Scholarship at SMCC to benefit SMCC fire and EMS students with financial need who aspire to serve their communities as first responders. It should be apparent by now that Steve has devoted his professional life to keeping communities safe from fire and preparing generations of professionals to do the same. On the personal side, Steve Willis has lived on the same road in Gorham all his life. His children are the 12th generation of his family to live in Gorham. They've been there since 1736. Steve is a devoted husband to his wife, Bert and the proud father of three children and their spouses, Lydia and Alex, Anna and Meg and Jake. Attending today with Steve are his wife, Bert, his son, Jake, his daughter, Anna and also in attendance in the gallery is David McLean, Steve's long-time friend and colleague at SMCC Fire. David's father is long-time member, the Honorable Andrew McLean. Congratulations, Steve.

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

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Expression of Legislative Sentiment Recognizing Leah Dechaine, of Pittsfield

(HLS 775)

TABLED - April 15, 2022 (Till Later Today) by Representative COLLAMORE of Pittsfield.

PENDING - **PASSAGE.**

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

Representative **COLLAMORE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I am pleased to stand and recognize Leah Dechaine for receiving the 2022 MPA Principal's Award. This award is given in recognition of a high school senior's academic achievement and citizenship. Leah is currently a senior at Maine Central Institute in Pittsfield. She is the student council president, a two-year member of the National Honor Society, a participant in the Model UN Conference and plays golf and tennis. As a continued display of her academic achievement, Leah has earned highest honors every quarter at MCI, won the geometry and science awards, is a member of Phi Beta Kappa and is named one of the class of 2022 top 10 for her GPA. Leah plans to attend UNE in the accelerated pharmacy program to become a pharmacist. Congratulations, Leah and good luck in all your future endeavors.

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

Expression of Legislative Sentiment Recognizing  
Hyeonjee (Elena) Rho, of Daegu, South Korea

(HLS 776)

TABLED - April 15, 2022 (Till Later Today) by Representative  
COLLAMORE of Pittsfield.

PENDING - **PASSAGE**.

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

Expression of Legislative Sentiment Recognizing Yuran  
Choi, of Gwangju, South Korea

(HLS 777)

TABLED - April 15, 2022 (Till Later Today) by Representative  
COLLAMORE of Pittsfield.

PENDING - **PASSAGE**.

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

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**COMMUNICATIONS**

The Following Communication: (H.C. 405)

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

April 18, 2022

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Pursuant to my authority under House Rule 201.1 (H), I  
appoint Representative Christopher W. Babbidge of  
Kennebunk to serve as Speaker Pro Tem to convene the  
House on Monday, April 18, 2022.

Sincerely,

S/Ryan M. Fecteau

Speaker of the House

**READ and ORDERED PLACED ON FILE.**

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The Speaker resumed the Chair.

The House was called to order by the Speaker.

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The SPEAKER: The Chair wishes to thank the  
Representative from Kennebunk, Representative Babbidge for  
his service as Speaker Pro Tem and his six nonconsecutive  
terms of service as a Representative to the People of the great  
State of Maine.

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

**SENATE PAPERS**

**Non-Concurrent Matter**

Bill "An Act To Prohibit Solitary Confinement in Maine's  
Corrections System"

(H.P. 508) (L.D. 696)

**PASSED TO BE ENGROSSED AS AMENDED BY  
COMMITTEE AMENDMENT "A" (H-846) AS AMENDED BY  
HOUSE AMENDMENT "A" (H-1008)** thereto in the House on  
April 14, 2022.

Came from the Senate with that Body having **INSISTED**  
on its former action whereby the Bill was **PASSED TO BE  
ENGROSSED AS AMENDED BY COMMITTEE  
AMENDMENT "A" (H-846) AS AMENDED BY SENATE  
AMENDMENT "A" (S-540)** thereto in **NON-CONCURRENCE**.

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

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**Non-Concurrent Matter**

Bill "An Act To Incorporate Respectful Language into the  
Maine Revised Statutes, Titles 22, 25 and 34-A"

(H.P. 1526) (L.D. 2038)

Majority (9) **OUGHT TO PASS pursuant to Resolve  
2021, chapter 120, section 2** Report of the Committee on  
**CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and  
**ACCEPTED** and the Bill **PASSED TO BE ENGROSSED** in the  
House on April 13, 2022.

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

The House voted to **INSIST**.

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**Non-Concurrent Matter**

Bill "An Act To Increase Funding to Qualifying  
Municipalities by Sharing Adult Use Marijuana Sales and  
Excise Tax Revenue"

(H.P. 873) (L.D. 1195)

**PASSED TO BE ENGROSSED AS AMENDED BY  
COMMITTEE AMENDMENT "B" (H-1014)** in the House on  
April 14, 2022.

Came from the Senate **PASSED TO BE ENGROSSED  
AS AMENDED BY COMMITTEE AMENDMENT "B" (H-1014)  
AS AMENDED BY SENATE AMENDMENT "A" (S-564)**  
thereto in **NON-CONCURRENCE**.

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

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

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

**Non-Concurrent Matter**

Bill "An Act Regarding Taxation of Energy Storage  
Facilities and Equipment"

(H.P. 1512) (L.D. 2030)

Minority (5) **OUGHT TO PASS AS AMENDED** Report of  
the Committee on **TAXATION READ** and **ACCEPTED** and the  
Bill **PASSED TO BE ENGROSSED AS AMENDED BY  
COMMITTEE AMENDMENT "B" (H-1016)** in the House on  
April 14, 2022.

Came from the Senate with the Majority (8) **OUGHT TO PASS AS AMENDED** Report of the Committee on **TAXATION** **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1015)** in **NON-CONCURRENCE**.

Speaker FECTEAU of Biddeford moved that the House **RECEDE AND CONCUR**.

Representative GROHOSKI of Ellsworth **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

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

**ROLL CALL NO. 575**

**YEA** - Alley, Andrews, Arata, Austin, Bernard, Bickford, Blier, Blume, Boyle, Brennan, Caiazzo, Cardone, Carlow, Cloutier, Collamore, Corey, Costain, Crafts, Craven, Dillingham, Dolloff, Doudera, Downes, Drinkwater, Dunphy, Evans, Faulkingham, Fay, Foster, Greenwood, Hall, Hanley, Harrington, Hasenfus, Head, Hepler, Hymanson, Javner, Kinney, LaRochelle, Lemelin, Lyman, Madigan, Martin J, Martin R, Martin T, Mason, Matlack, McCreight, McDonald, Meyer, Millett H, Millett R, Moriarty, Morris, Nadeau, O'Connell, O'Connor, Ordway, Parry, Perry, Pierce, Prescott, Roberts, Rudnicki, Sampson, Sheehan, Skolfield, Stetkis, Stover, Tepler, Terry, Theriault, Thorne, Tucker, Tuell, Underwood, White B, White D, Wood, Zeigler, Mr. Speaker.

**NAY** - Arford, Babbidge, Bell, Berry, Bradstreet, Brooks, Bryant, Carmichael, Connor, Copeland, Crockett, Cuddy, Dodge, Ducharme, Evangelos, Geiger, Gere, Gifford, Gramlich, Griffin, Grohoski, Harnett, Hutchins, Kessler, Libby, Lookner, Lyford, Mathieson, McCreia, Melaragno, Morales, Newman, O'Neil, Osher, Pebworth, Perkins, Pickett, Pluecker, Poirier, Quint, Reckitt, Rielly, Riseman, Roeder, Sachs, Salisbury, Stearns, Supica, Wadsworth, Warren C, Warren S, Williams, Zager, Madam Speaker.

**ABSENT** - Cebra, Collings, Grignon, Haggan, Landry, Paulhus, Perry, Roche, Sharpe, Stanley, Sylvester.

Yes, 82; No, 54; Absent, 11; Vacant, 4; Excused, 0.

82 having voted in the affirmative and 54 voted in the negative, 4 vacancies with 11 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

---

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

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**Non-Concurrent Matter**

Bill "An Act To Encourage Job Growth in the Forest Products Sector through Tax Incentives"

(H.P. 1425) (L.D. 1919)

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-944)** in the House on April 7, 2022.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-944) AS AMENDED BY SENATE AMENDMENT "A" (S-561)** thereto in **NON-CONCURRENCE**.

Speaker FECTEAU of Biddeford moved that the House **RECEDE AND CONCUR**.

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

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

**ROLL CALL NO. 576**

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

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

**ABSENT** - Cebra, Collings, Grignon, Haggan, Landry, McDonald, Paulhus, Perry, Roche, Sharpe, Stanley, Sylvester.

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 House voted to **RECEDE AND CONCUR**.

---

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

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

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**REPORTS OF COMMITTEE**

**Ought to Pass as Amended**

Report of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act To Create a Small Nonprofit Raffle Operator License"

(S.P. 711) (L.D. 1980)

Reporting **Ought to Pass as Amended by Committee Amendment "A" (S-524)**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-524) AS AMENDED BY SENATE AMENDMENT "B" (S-565)** thereto.

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

The Bill **READ ONCE**. **Committee Amendment "A" (S-524)** was **READ** by the Clerk.

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

Representative **WOOD**: Mr. Speaker, I wanted to speak to this item. I received many phone calls and have had meetings with various charitable organizations over the past few weeks as other Members in this Body have also received

calls. And I just wanted to speak to the final amendment that we are adding to the bill and changing the title. It will now be "An Act To Allow Internet Payment for Tickets and Chances for Raffles Held by Nonprofit Organizations and Other Eligible Organizations and To Require the Gambling Control Unit To Adopt Certain Rules". I realize it's a bit of a mouthful, but we are trying to correct some unintended consequences from an earlier bill that we had submitted. There has been quite a bit of consternation. We've checked with the Gambling Control Unit executive director and this bill now has an amendment which I'd like to read. It's a little complicated but I think it will take --

The SPEAKER: The Member will defer. Senate Amendment "B" is not quite yet before us. We have to take a couple of actions before that occurs and so, if the Member would defer until I bring before the Body Senate Amendment "B" I will call back on the Member to speak to what Senate Amendment "B" does.

Representative WOOD: I apologize, I just will close by saying I'm very proud to do whatever it takes to support our veterans and keep our veterans' organizations healthy. Thank you.

**Senate Amendment "B" (S-565) to Committee Amendment "A" (S-524) was READ by the Clerk and ADOPTED.**

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

Representative WOOD: Thank you, Mr. Speaker. I would like to read the final amendment that we've come up with. It's regarding rulemaking and it states that no later than September 30, 2022, the Department of Public Safety, Gambling Control Unit shall adopt rules relating to games of chance to add a definition of immediate family member and for Lucky-7 or similar sealed ticket game of chance to allow limited posting of whether a prize has been awarded and to eliminate the requirement to sell an entire box of serial-numbered tickets before the end of that serial-numbered game. The Gambling Control Unit shall hold a public hearing regarding the adoption of rules required by this section and after the public hearing shall allow the submission of written comments regarding the rules for a period of 30 days. This amendment should ease the concerns that we've heard from many of our American Legions, VFWs, I had a call from the Slovak Club in Lisbon Falls. There was a change, as I said, that had unintended consequences and this should rectify the problem. Thank you.

**Committee Amendment "A" (S-524) as Amended by Senate Amendment "B" (S-565) thereto was ADOPTED.**

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-524) as Amended by Senate Amendment "B" (S-565) thereto in concurrence.**

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

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**SENATE PAPERS**

The following Joint Resolution: (S.P. 751)  
**JOINT RESOLUTION DESIGNATING APRIL 17-23, 2022 AS SCHOOL BOARD MEMBER RECOGNITION WEEK**

WHEREAS, school boards are charged with the all-important responsibility of being accountable for the education of Maine children in order to prepare them for a rewarding and productive future; and

WHEREAS, school boards must articulate a vision and direction for their school systems, set high academic standards and approve the hiring of qualified staff most capable of making that vision a reality; and

WHEREAS, school boards must adopt a budget that balances student needs with the community's ability to pay and advocate for passage of that budget to ensure the school district has adequate funding to provide all children with the opportunity to learn; and

WHEREAS, all of these responsibilities and more are done by volunteer school board members who put in countless hours in meetings and in the community advocating for their schools, representing the interests of children, parents and all citizens of the school district and preserving the valued tradition of local control over kindergarten to grade 12 public education; 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 designate April 17-23, 2022 as School Board Member Recognition Week and encourage local school districts and community leaders to appropriately recognize dedicated school board members across the State.

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

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

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**ENACTORS**  
**Acts**

An Act Regarding a Post-judgment Motion To Seal the Criminal History Record Information for Certain Criminal Convictions

(H.P. 966) (L.D. 1310)  
(C. "A" H-1009)

An Act Implementing the Recommendations of the Task Force on Changes to the Maine Indian Claims Settlement Implementing Act

(H.P. 1210) (L.D. 1626)  
(C. "A" H-1006)

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.

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An Act To Implement the Recommendations of the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions

(H.P. 1489) (L.D. 2003)  
(H. "A" H-1024 to C. "A" H-1013)

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

On motion of Representative ANDREWS of Paris, was **SET ASIDE.**

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

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

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

**ROLL CALL NO. 577**

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

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

**ABSENT** - Cebra, Collings, Grignon, Haggan, Head, Landry, McDonald, Paulhus, Perry, Roche, Sharpe, Stanley, Sylvester.

Yes, 77; No, 57; Absent, 13; Vacant, 4; Excused, 0.

77 having voted in the affirmative and 57 voted in the negative, 4 vacancies with 13 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

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**CONSENT CALENDAR**

**First Day**

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

(H.P. 1516) (L.D. 2034) Bill "An Act To Correct Inconsistencies, Conflicts and Errors in the Laws of Maine" (EMERGENCY) Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-1028)**

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

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

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

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**ENACTORS**

**Acts**

An Act Regarding Criminal Services for Juveniles  
(H.P. 561) (L.D. 756)  
(C. "A" H-940)

An Act Concerning Interpersonal Violence on College Campuses  
(S.P. 572) (L.D. 1727)  
(C. "A" S-554)

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.

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

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**REPORTS OF COMMITTEE**

**Divided Reports**

Five Members of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-544)** on Bill "An Act To Expand Maine's Clean Energy Economy"  
(S.P. 432) (L.D. 1350)

Signed:

Senators:

LAWRENCE of York  
VITELLI of Sagadahoc

Representatives:

CUDDY of Winterport  
SACHS of Freeport  
ZEIGLER of Montville

Five Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (S-545)** on same Bill.

Signed:

Senator:

STEWART of Aroostook

Representatives:

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

Three Members of the same Committee report in Report "C" **Ought to Pass as Amended by Committee Amendment "C" (S-546)** on same Bill.

Signed:

Representatives:

BERRY of Bowdoinham  
GROHOSKI of Ellsworth  
KESSLER of South Portland

Came from the Senate with Report "A" **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-544).**



**READ.**

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

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

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

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

Representative **WADSWORTH**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the pending motion. Really, another huge solar procurement? Our State is being consumed with net energy billing arrays constructed in nearly every town. If this passes, Wall Street will continue to work in Maine, clearcutting thousands of acres of our beloved Eastern White Pine Forest. Wall Street will destroy thousands of acres of wildlife habitat. Wall Street will cover our valuable cropland with solar. Our poor little towns are getting abused by Wall Street and we're here rolling out the red carpet. Out of my five towns in Oxford County that I represent, four are being bombarded with large solar projects, no guidance or funding from the State but just deal with it. In the town of Lovell, Walden Renewables proposed an almost 200-acre project on the shores of world-famous Kezar Lake. The townspeople stopped the project by changing the town ordinances and the vote earlier this month was 206 residents to stop the solar and 30 to build it. Just 30 people, Mr. Speaker. I hope more towns will stop this destruction of our countryside because we surely are not helping them. So, Maine towns, it's time for you to change your ordinances just like Lovell. Let's vote this down and get another report passed today. Thank you.

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

Representative **GROHOSKI**: Thank you, Mr. Speaker and Colleagues in the House. I stand this morning in opposition to the pending motion. This is a bit out of character for me, especially since the name of this bill is "An Act To Expand Maine's Clean Energy Economy" and I am the lead co-sponsor. Initially, I intended to support this bill, but now I see that it does not adequately protect ratepayers or ensure a fast and affordable clean energy transition. Please do not misunderstand me, I'm all for expanding Maine's clean energy economy. We send billions of dollars out of State each year for fossil fuels, which is just a drain on our economy. But if we're not careful and keep passing bills like this one, we'll repeat the exact same pattern as we build clean energy. Right now, far-away investors are reaping huge profits on the backs of Maine people in both the fossil fuel and clean energy sectors. This is a dangerous pattern for two reasons. The first is the Maine people cannot afford to pay more for their essential energy needs than they are paying today, which is already too much. The second is that the more money we pay to build each megawatt of clean energy, the slower we will build what we need. The global scientific community is telling us we need to act big and move fast to mitigate the climate crisis. This bill as amended does neither. I urge you to oppose the pending motion because this bill is another step in the wrong direction. It puts ratepayers on the hook for more money than they need to pay for clean energy. Over time, this will add up to tens of billions of dollars of wasteful spending.

This bill is also too limited in scope when the problem before us is looming large. We need to stop stumbling along as we have been and start running in the opposite direction toward a fast and affordable transition. In my four years serving on the Energy, Utilities and Technology Committee and in my time on the Maine Climate Council, no one has shown me a business plan that demonstrates that the types of contracts authorized in this bill will result in an affordable clean energy transition. On the flipside, economists have shown us that the only way to stabilize and even lower costs in this transition is to use low-cost capital, which this bill as amended does not do. Please join me in voting no to allow consideration of a different amendment. To truly speed our clean energy transition, we must make sure it is affordable for every Mainer, our small businesses and our industries. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Freeport, Representative Sachs.

Representative **SACHS**: Thank you, Mr. Speaker. I rise this morning in strong support of the motion in front of us. In 2019, this Legislature with broad bipartisan support set in Statute the requirement that Maine obtain 80% of our electricity from renewable resources by 2030 and set a goal of 100% by 2050. Since then, the Public Utilities Commission, PUC, has conducted two rounds of competitive procurements that have increased Maine's energy independence, brought us more affordable energy in Maine to the Maine people and moved us closer to achieving our renewable energy and climate goals. This bill builds on the good work we've done in these last few years. I would point my colleagues to two supplements today in the paperless chamber around 1350, which not only does a PPH, *Portland Press Herald* editorial from last week but also has an article describing those procurements and the good things that they did for Maine. This bill brings that forward to the 21st century.

I say this, Mr. Speaker, because especially this year, as Mainers saw their electricity bills spike due to global conflict and market volatility, it's important that we're investing in affordable, homegrown energy solutions that best serve our people and our planet. The more of our energy that we make at home, the less vulnerable we are to shocking and often unexpected energy price increases, which I know I have heard from my constituents. LD 1350 authorizes two additional competitive solicitations by the PUC for renewable energy projects. So, those who might argue, Mr. Speaker, that doing nothing is better than this bill, I would argue that is not true. This bill installs, due to some due diligence measures that I'll go into, that we can be sure that new energy projects have the best chances of success in benefitting Maine people. As we continue building our clean energy infrastructure, we have the opportunity to bring sustainable energy products to every corner of our State. LD 1350 directs the PUC to consider local economic landscape, much like my good friend the Representative from Hiram was referencing. It directs the PUC to consider the local economic landscape to propose sites in considering bids so that these new projects can optimize their economic impact, bringing more jobs to Maine people and more tax revenue to host committees. This bill also directs the PUC to give special consideration to proposals from farmers, whose livelihoods have been impacted by PFAS contamination. Finding a new use for this land, Mr. Speaker

and giving farmers whose livelihoods have been destroyed a new path forward. This is the only bill, Mr. Speaker, in front of this Legislature this session that will significantly increase Maine's energy independence and the amount of clean energy we derive from low-cost renewable resources. Procurements like those conducted by the PUC these past few years and those put forward in this bill are the most affordable way at this time, vetted solution, to bring renewable grid-scale energy projects online which we know is critical to Maine's people, economy and climate. We have so much to be proud of, Mr. Speaker and LD 1350 continues that forward movement. Thank you so much and I urge support of this amendment. Thank you.

The SPEAKER: The Chair recognizes the Representative from Yarmouth, Representative Bell.

Representative **BELL**: Thank you, Mr. Speaker. I rise to strongly agree with my colleague from Ellsworth. I ran for this office and got elected as an environmental activist, pledging to do my best to clean up our environment, to fight climate change and a big part of that is to decarbonize our economy. I recognize that Maine is a relatively low-income State and one of the most petroleum dependent in the nation. I have read Dr. Richard Silkman's *A New Energy Policy Direction* for Maine and I believe that it presents a pathway to a zero-carbon economy by 2050. I see that as an alternative. A way to reconcile the imperative that we transition away from fossil fuel while paying no more and potentially less, than we do for energy today. So, I urge my colleagues to vote no on this amendment and to support an alternative amendment. Thank you.

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

Representative **FOSTER**: Thank you, Mr. Speaker. Thank you, Ladies and Gentlemen of the House. I rise today in opposition to this bill. As I have mentioned with previous bills, we received this bill in EUT at the last minute, along with other bills, some of which were concept drafts and we got the language in the last couple of days that EUT met. This bill was among them, although it was not a concept draft. It did have a significant amendment with it that is quite complicated, as are many of the bills that come before EUT. And with little time to work through it, little time to hear from experts on the different issues that may be with it, both positive and negative, it went through committee and was voted out on our last day of scheduled work. I believe that this is the reason that the EUT Committee, I believe, is leading with the highest number of reports per bill average in the Legislature, although this one having only three brings our average down a bit, I believe. I'll have to check on that. I, incredibly and I guess ironically agree with my good friend from Ellsworth. This bill will cost ratepayers a lot of money and I should explain. This bill would allow a cap of 10 dollars on class 2 RECs. Now, RECs being renewable energy credits are paid out. And, for example, when a solar project is generating electricity, they can sell RECs and although people who buy into those projects that have net energy billing may assume they are going green, helping to support, as others have brought up here, a carbon-free energy structure, in fact, RECs are used and can be sold and are sold to increase the income for that project and quite often, Mr. Speaker, are sold to entities that need to purchase

those to meet renewable energy statute such as possibly oil-fired generation plants.

So, those people may not understand that and they may actually be supporting the life, if you will, of carbon-emitting generation. This bill, as was previously mentioned, will allow or will require the PUC to add more RECs available out there by procuring more projects. And the language there is that it would total 7.5% of total retail electricity sales in 2021, which is a lot, reduced by the amount of Class 1A resources procured by January 1, 2023. It also does have language in the amendment allowing the PUC to consider factors such as location, how it will help with the going green carbon-free electrification and what it might offer to the surrounding area. However, it does not address the added cost to ratepayers. It does not allow the PUC to establish the alternative compliance payments nor does it ask them to balance the interests of resource investors with the interests of ratepayers and other factors. I, therefore, will be voting this proposal down and I would ask that you follow my light, that we may look at another amendment to this bill. Thank you, Mr. Speaker.

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

**ROLL CALL NO. 578**

YEA - Boyle, Brennan, Caiazzo, Cardone, Cloutier, Craven, Crockett, Cuddy, Dunphy, Evans, Fay, Hasenfus, Hepler, Hymanson, LaRochelle, Madigan, Martin J, Martin R, Matlack, McCreight, Meyer, Moriarty, O'Connell, Perry, Pierce, Reckitt, Roberts, Sachs, Salisbury, Sheehan, Stover, Tepler, Terry, Tucker, White, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Alley, Andrews, Arata, Arford, Austin, Babbidge, Bell, Bernard, Berry, Bickford, Blier, Blume, Bradstreet, Brooks, Bryant, Carlow, Carmichael, Collamore, Collings, Connor, Copeland, Corey, Costain, Crafts, Dillingham, Dodge, Dolloff, Doudera, Downes, Drinkwater, Ducharme, Evangelos, Faulkingham, Foster, Geiger, Gere, Gifford, Gramlich, Greenwood, Griffin, Grohoski, Hall, Hanley, Harnett, Harrington, Head, Hutchins, Javner, Kessler, Kinney, Lemelin, Libby, Lookner, Lyford, Lyman, Martin, Mason, Mathieson, McCreight, McDonald, Melaragno, Millett H, Millett R, Morales, Morris, Nadeau, Newman, O'Connor, O'Neil, Ordway, Osher, Parry, Pebworth, Perkins, Pickett, Pluecker, Poirier, Prescott, Quint, Rielly, Riseman, Roeder, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Supica, Theriault, Thorne, Tuell, Underwood, Wadsworth, Warren C, Warren S, White, Williams, Madam Speaker.

ABSENT - Cebra, Grignon, Haggan, Landry, Paulhus, Perry, Roche, Sharpe, Stanley, Sylvester.

Yes, 39; No, 98; Absent, 10; Vacant, 4; Excused, 0.

39 having voted in the affirmative and 98 voted in the negative, 4 vacancies with 10 being absent, and accordingly Report "A" **Ought to Pass as Amended** was **NOT ACCEPTED**.

Subsequently, Representative BERRY of Bowdoinham moved that the House **ACCEPT** Report "C" **Ought to Pass as Amended**.

Representative WADSWORTH of Hiram **REQUESTED** a roll call on the motion to **ACCEPT** Report "C" **Ought to Pass as Amended**.

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

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

Representative **KESSLER**: Thank you, Mr. Speaker. This version of the bill is simple. If we're going to require the procurement of huge quantities of renewable energy, we have to do it at the lowest cost. No matter what happens, we are all in this room going to have to pay for this. Maine ratepayers are going to have to pay for this. Do you want to finance it at 8% or finance it at 3%? It's simple math. This amendment has the Efficiency Maine Trust finance these renewable projects and requires them to put in bids for 25% of this procurement. I am entirely in favor of procuring more clean energy and getting decarbonized as quickly as possible, but we have to do it at the lowest cost possible or we will all pay billions of dollars. And Efficiency Maine Trust is the entity to do this. They have saved Mainers \$2.5 billion in lifetime savings with all of the efficiency projects that they have engaged in. They are fully equipped for this. So, I am in wholeheartedly full support of this report. Thank you, Mr. Speaker.

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

Representative **WARREN**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, I rise in strong support of this pending motion. Last week, most of us voted for a bold, powerful version of this. Today, I feel the least we can do is vote for a smaller, more incremental version. I don't know a lot about energy policy, but I do know that my heart breaks when I think about my nieces and my nephews and for the young people who will inherit the damaged and broken climate that we are passing on to them. We can and we absolutely must do better. Here before us is that chance. A chance to do better. And that's why I rise in support of this motion and I urge my colleagues to vote yes on the motion before us. Thank you, Mr. Speaker.

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

Representative **MORALES**: Thank you, Mr. Speaker, Friends and Colleagues in the House. I rise to support this motion in Report "C". To address the climate crisis, Maine has adopted the saying Maine can't wait. And, indeed, we cannot. Our overall plan is ambitious, it is bold and it understands the urgency of the day. There is no doubt we will build large-scale renewable energy projects in Maine. The value added, though, by Report "C" as we transition to renewable energy pertains to the affordability of the renewable energy we create. I speak today for Maine young people on this bill and this report. Young Mainers who today represent 20% of our population and 100% of our future. I speak for the approximately 500 young people actively engaged in supporting Report "C" before us today; 500 young people. Why do they care about this bill? They support this report because they understand that the large-scale renewable energy projects in the pipelines as a result of the great work of the Chief Executive, the Legislature, the Climate Council and many others, will all have to seek financing for each project. We have the opportunity now as a result of this bill to offer low-interest, low-cost financing on these projects through the Efficiency Maine Trust. Thanks to an effort passed last year, we have low-interest, low-cost financing in place for small-scale projects that we call the Green Bank. Scaling the Green Bank up to provide financing

for our large-scale public projects will benefit ratepayers by providing low interest rates thereby lowering the cost of these projects. We've been talking a lot about affordability in the housing context and just as in the housing sector, when it costs less to build and finance housing, rents and home prices go down. The same is true for public utility projects. When we build them at lower cost, the cost to the ratepayer goes down. The 500 young people, Mr. Speaker, actively involved in supporting Report "C" also want low-cost financing because they know that they will be responsible for paying the cost of the projects through increased rates over their lifetimes. In my four years serving in this Body, I have promised that my work will focus on removing barriers to opportunity for young people. Report "C" does that. Young people have been leaders throughout the civil rights movement in the 1960s and they are leading today on the climate crisis. I ask that you follow my light on behalf of the young people of Maine. Thank you, Mr. Speaker.

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

Representative **WILLIAMS**: Thank you, Mr. Speaker. I rise in support of this measure. In my district and in my town, we have utilized Efficiency Maine Trust multiple times. The largest is our high school is entirely energy efficient and runs entirely off of solar. We have done other government buildings and we have done in other towns in Mount Desert Island. They were a pleasure to work with, they were affordable, they were accessible. We trust them implicitly and I urge all of you to vote in support of this motion. Thank you very much.

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

Representative **GEIGER**: Thank you, Mr. Speaker. I rise today in support of this motion. Mainers are struggling with their energy costs. They are vulnerable to the fluctuations and the cost of fossil fuels. Most Mainers still heat with oil and propane and they are suffering. This money flows out of our State. Low-cost buildout of renewable energy, it is a Maine winner. It will be Maine generated, Maine built, using low-interest loans to ready us for the future. It brings jobs, lowers our carbon footprint and, most of all, protects Mainers from wild fluctuations in the world market. I ask that you follow my light and support Amendment "C". Thank you.

Representative **PICKETT** of Dixfield **REQUESTED** that the Clerk **READ** the Committee Report.

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

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

#### **ROLL CALL NO. 579**

YEA - Arford, Babbidge, Bell, Berry, Blume, Brennan, Brooks, Bryant, Collings, Copeland, Crafts, Craven, Crockett, Dodge, Doudera, Evangelos, Evans, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Kessler, LaRochelle, Lookner, Madigan, Martin, Mathieson, McCrea, McDonald, Melaragno, Millett, Morales, Moriarty, O'Connell, O'Neil, Osher, Pebworth, Perry, Pluecker, Reckitt, Rielly, Riseman, Roeder, Salisbury, Sheehan, Supica, Warren C, Warren S, White, Williams, Wood, Zager, Madam Speaker.

NAY - Alley, Andrews, Arata, Austin, Bernard, Bickford, Blier, Boyle, Bradstreet, Caiazzo, Cardone, Carlow, Carmichael, Cloutier, Collamore, Connor, Corey, Costain, Cuddy, Dillingham, Dolloff, Downes, Drinkwater, Ducharme, Dunphy, Faulkingham, Fay, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Harrington, Head, Hepler, Hutchins, Hymanson, Javner, Kinney, Lemelin, Libby, Lyford, Lyman, Martin R, Martin T, Mason, Matlack, McCreight, Meyer, Millett, Morris, Nadeau, Newman, O'Connor, Ordway, Parry, Perkins, Pickett, Pierce, Poirier, Prescott, Quint, Roberts, Rudnicki, Sachs, Sampson, Skolfield, Stearns, Stetkis, Stover, Tepler, Terry, Theriault, Thorne, Tucker, Tuell, Underwood, Wadsworth, White, Zeigler, Mr. Speaker.

ABSENT - Cebra, Grignon, Haggan, Landry, Paulhus, Perry, Roche, Sharpe, Stanley, Sylvester.

Yes, 55; No, 82; Absent, 10; Vacant, 4; Excused, 0.

55 having voted in the affirmative and 82 voted in the negative, 4 vacancies with 10 being absent, and accordingly Report "C" **Ought to Pass as Amended** was **NOT ACCEPTED**.

Subsequently, on motion of Representative BERRY of Bowdoinham, **TABLED** pending **ACCEPTANCE** of any Report and later today assigned.

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Five Members of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-1025)** on Bill "An Act To Update the Regulation of Public Utility Monopolies" (H.P. 764) (L.D. 1026)

Signed:

Senators:

LAWRENCE of York  
STEWART of Aroostook  
VITELLI of Sagadahoc

Representatives:

FOSTER of Dexter  
GRIGNON of Athens

Four Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (H-1026)** on same Bill.

Signed:

Representatives:

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

Two Members of the same Committee report in Report "C" **Ought to Pass as Amended by Committee Amendment "C" (H-1027)** on same Bill.

Signed:

Representatives:

CUDDY of Winterport  
SACHS of Freeport

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

Signed:

Representatives:

CARLOW of Buxton  
WADSWORTH of Hiram

**READ.**

On motion of Representative BERRY of Bowdoinham, **TABLED** pending **ACCEPTANCE** of any Report and later today assigned.

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Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-559)** on Bill "An Act To Strengthen Maine's Good Samaritan Laws Concerning Drug-related Medical Assistance"

(S.P. 661) (L.D. 1862)

Signed:

Senators:

DESCHAMBAULT of York  
CYRWAY of Kennebec  
LAWRENCE of York

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-560)** on same Bill.

Signed:

Representatives:

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

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 "B" (S-560)**.

**READ.**

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

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

Representative **WARREN**: Thank you, Mr. Speaker. Mr. Speaker, Women and Men of the House, this bill was brought to us by Courtney Allen and the Maine Recovery Advocacy Project. I know that many of us know and respect Courtney's work in the recovery community and here in our policy world under the dome. She is a leader and a pioneer. Courtney is here today along with many other folks who are leading the way in the recovery community in Maine. This group of people and many who could not be here today, brought this bill forth because in 2021, there was a record number of fatal overdoses in our State; 636 Mainers died. Two Mainers a day are still dying. These statistics can easily be heard simply as numbers but I bet every single person in this room knows someone who has died of an overdose or had a friend or a loved one die. These are lives, loves, hopes and dreams lost. The reasons behind this horrific apocalypse are many, but one clear reason has emerged over the past few years. People are

simply afraid to call 9-1-1 when there's an overdose. Emergency services are not called. Narcan might not be available or administered improperly and the resources that come along with 9-1-1 like the Options Program that connects people with recovery resources, that's not available if people don't call 9-1-1. The most recent data statewide indicates that 90% of people are not calling 9-1-1 when there's an overdose. This fact is shocking in and of itself, but it's even worse when we consider that Maine already has a Good Samaritan Law. A law that is designed to make people feel safe to call 9-1-1 by protecting folks at the scene. We passed such a law in the 129th session unanimously. But this law has proven to be incredibly ineffective. Why? Because it is so drastically limited. Here's the other problem with the current law; it only protects the person calling 9-1-1 and the person overdosing. If you're helping, providing CPR, grabbing a cellphone, etcetera, you're simply out of luck, you're not protected under any circumstances. Imagine someone you love is overdosing in front of you. You're on probation but you cannot get swept up back up into the criminal justice system. You know it means losing your children, losing your job, possibly losing your home. You can't remember if you'll be protected when the police come or your friend is performing CPR but they're out on bail. What do you do? Here's what's happening. People are calling 9-1-1 and then fleeing the scene, leaving the person who is overdosing alone, sometimes to die alone. Or people aren't calling 9-1-1 at all for a fear of a lifetime of consequences. This is an untenable and immoral situation for any Mainer to be in. They are caught between a punishing criminal justice system and saving a life. That's why we, the sponsors of this bill, started to work with Courtney, the Maine Recovery Advocacy Project and dozens and dozens of recovery advocates and organizations. They came to us with a message; we need a clear and easy law that makes sure people feel safe calling 9-1-1. We need a law that saves lives and we need it now.

Mr. Speaker, this is not a radical idea. It's simply needed immediately to save lives. This proposal is supported by the Maine Public Health Association, the American Medical Association, Maine Access Points, Maine Medical Association, Maine Prisoner Advocacy Coalition, Maine Prisoner Reentry Network, the Northern New England Society of Addiction Medicine, the Alliance for Addiction and Mental Health Services and many more. All of these organizations support this amendment because they, too, recognize that when two people a day are dying, you cannot just do nothing or, worse, you cannot continue to do what you've always done and expect a different result. Mr. Speaker, Women and Men of the House, we have an opportunity here to fix our current Good Samaritan Law to encourage more people to call 9-1-1. So, I've already referenced the 636 friends, moms, dads, sisters, brothers, aunties that died last year due to overdose, but there's also information for us in the nonfatal overdose data. In the State of Maine annual drug death report, we can see that were 8,898 nonfatal overdoses last year. And of those nonfatal overdoses, over 2,000 were reversed by community members who did not call 9-1-1. That's about 23% of nonfatal overdoses that no one is calling to get help. When people don't call for help, we lose our opportunity to intervene. So, the reason we want people to call is not just to save a life, we want people to call because we

want to get them recovery services. We're spending all of this money on recovery services, on the Options Program. We want people to call so we can intervene. Mr. Speaker, the data is clear. Our current Good Samaritan Law is not working. Please let's save lives. Please join me on voting yes. Thank you, Mr. Speaker.

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

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

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

Representative **COREY**: Mr. Speaker, Men and Women of the House, I would like to speak in favor of the pending motion. I served for two terms on the Criminal Justice and Public Safety Committee just after a close family member's fentanyl overdose death. He was an Air Force veteran, a former police officer. He taught DARE. My family is convinced there were others present when he died, likely engaged in illegal activities. For a few years, I felt like the only way to save folks with substance use disorder was to smack them with justice, that somehow the law would catch up with them before they died. I was wrong. People with SUD hide their activities from others. Yes, we didn't even know our family member used drugs. He became withdrawn and had new friends. I put quotes around the word friends in this speech. We thought this was due to PTSD he suffered based on several life experiences. No, he was using drugs. I know that deep down he loved his family and friends but I'm positive that drug use came before relationships he previously valued. I don't say any of this to sully him, only to point out that I've had to evolve on this subject. People with SUD cannot face the day without drugs. They have no control over drug use. They break ties with family and friends. They may not see life as precious like you or I do. Unfortunately, during a person's worst moment due to an overdose, they need to rely on otherwise rational people but for SUD to make good decisions. I'd like to say my relative would have made better decisions than his friends did and this situation were reversed, but sadly, I cannot say he would have. Terming out of the Legislature is a time to reflect. You think about positions you took that you got right and others you got wrong. While I've always fought to get these people help, maybe I chose the wrong fight at times. It is more important that we save lives because we will never arrest our way out of overdose deaths, especially when someone is in crisis. Please follow my light. Thank you.

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

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

The SPEAKER: The Member may proceed.

Representative **UNDERWOOD**: The question basically is why are we making laws in this Body based on emotion? Thank you, Mr. Speaker.

The SPEAKER: The Chair would inform the Member that even when stating a question to the Body, the Member is not permitted to question the motives of other Members by implication and therefore, I would ask the Member to not question the motives of other Members in the Body. The Chair

recognizes the Representative from Augusta, Representative LaRochelle.

Representative **LaROCHELLE**: Thank you, Mr. Speaker. I rise today to speak for and with the many people who I love who use drugs and my friends and the children of my friends who have died of preventable overdoses. I'm a staunch ally of this community and the chair of the Augusta City Council's Substance Use Task Force, which has the goal of making Augusta a recovery-ready community. You may have noticed that I said preventable overdose. I choose this word because I believe that every overdose death was and is preventable. Today, we have a policy before us that will save lives. We have the opportunity to enact substantive reform to the Good Sam Law that will encourage people to call 9-1-1 and get the help they need at the scene of an overdose. This legislation is intentionally broad. It is designed to meet the moment. It is designed to say we support you and we want you to live. It is also grounded in reality. It says that we know that people are going to use drugs, we know that people are going to overdose and we also know that the most important thing that can happen during these situations is to keep someone alive. The current Good Sam Law is not effective in doing this. Many are not protected and drug-using communities are well aware of the limitations of this law. We must pass a law that is clear, straightforward and protects as many people on the scene as possible. If we are not willing to go the extra mile to assure these communities, then how can we expect the people at the scene of an overdose to do so? If we are not willing to set aside what we think we know about drug-using communities in an effort to save lives, then how can we expect people who use drugs to set aside what they think they know about interactions with law enforcement to do so? Again, we are here talking about saving lives. Saving lives. How often as legislators do we get to go home and say today, I helped to save people from dying? This is what this bill is about and that's what it seeks to do. We cannot wait. Since Friday, six more Mainers have died. So, I would like to offer that if people value life, that should also include the lives of people who use drugs. Let's not trade a person's life in exchange for arresting someone else for a bail violation. Mr. Speaker, to put it very simply; dead people don't recover. I will be voting yes to ensure that my friends and family have the opportunity to recover. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Waterville, Representative White.

Representative **WHITE**: Mr. Speaker, Members of the House, I believe the last time I rose to speak on a bill was over three years ago, when I presented a proposed amendment to the constitution of Maine concerning alternative signatures made by persons with disabilities. That bill, in fact, did go to the voters and it was approved. Unlike my son, who travels across the country speaking and is comfortable doing so, I, on the other hand, am out of my comfort zone. Mr. Speaker and Members of the House, as I was driving home one night last week, I was thinking about this bill. Like many of you, I have been following this bill and listening to the concerns with it. I started thinking about my grandchildren. I have two grandsons; one is 12 years old and the other is 16. They are both very active kids, play sports, attend youth group and they have a wonderful and stable family. I started to wonder what

would happen if one of my grandchildren were in a situation where he happened to have made a poor decision and he was with a group of friends. What if he was in a life-threatening situation because of that poor choice and he needed immediate attention? What if those with him were hesitant to make the 9-1-1 call? Would I as a grandparent want them to be worried about being arrested while my grandson is in danger of death? The answer is obvious. As I continued to think about this bill, I thought should this be a question of compassion? When I got home that evening, I started to tell my wife that I was perhaps going to speak on this bill. I was overcome with emotion and I was barely able to speak. Her response was you will know if it is the right thing to do. So, I ask, should we have compassion for a life which could be saved, maybe even the life of one of your own loved ones? I won't ask you to follow my light, I'll ask that you follow your conscience. Thank you for considering how voting yes might be the compassionate thing to do. Thank you, Mr. Speaker and Members of the House.

Representative **LIBBY** of Auburn **REQUESTED** that the Clerk **READ** the Committee Report.

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

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

Representative **HYMANSON**: Thank you, Mr. Speaker, Men and Women of the House. Treating early in a medical emergency can save that person's life. This is true for cardiopulmonary resuscitation or CPR when someone collapses because the heart stopped beating. It's also true with treatment for collapse from a drug overdose. As a neurologist, I would see people in the emergency room brought in from what we call the field, which is outside the emergency room, because they collapsed. And as the neurologist, I would evaluate a person for brain death or, later on, brain injury. And the story was always when someone came in because they were braindead that they weren't treated quickly enough with Narcan and people weren't called. So, I support this, having seen what happens in the emergency room and the horror of seeing someone young come in braindead or eventually brain injured because they lost the oxygen to their brain. I would support any attempt and to quicken the therapy in the field. So, I am supporting this report. Thank you.

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

Representative **ZAGER**: Thank you, Mr. Speaker. I rise also in support of this pending motion and I really appreciate the comments by the Representatives from so many different communities, so many different types of communities. I thank you, Mr. Speaker, for the opportunity to serve as an NCSL, National Conference of State Legislators Opioid Policy Fellow this most recent iteration along with the Representative from Calais. In those discussions, we, as many Members in this chamber have served on and similar fellowships, we get together with Representatives and Senators from across the country, many different states, across the aisle and we talk about commonsense solutions, we talk about things that are in common to people that we serve and love. The discussion around bills like LD 1862 often centers around a hypothetical scenario, which is unfortunately, not so hypothetical in the moment at the scene of an overdose. As a primary care

physician who treats opioid use disorder, I often get to hear the rest of the story and it is for those that make it that far, when the narrative can extend, it is a beautiful, beautiful story, Mr. Speaker. In so many cases, there are folks who get into treatment, living in our communities, going to school, working, paying taxes, building communities all around this great State. These are folks who were at a crossroads at one point and they are there to thrive and contribute to our State's future in large part because at some point someone at the scene of the overdose felt safe to call for help. Mr. Speaker, that is what LD 1862 is about. It's about making more people, many times more people, feel safe to call for help. Thank you very much.

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

Representative **MADIGAN**: Thank you, Mr. Speaker. I don't believe I've ever gotten up here in this chamber and said I never intended to speak on this bill, but I'm doing that now basically because of the Good Representative from York's description of brain death. Many of you may not know that my sister died in January. It wasn't from an overdose, it was from alcohol withdrawal. So, I'd like to tell you how gruesome brain death is because I would do anything to prevent that from happening to someone else. My sister went into cardiac arrest in my home, as I was about to take her to detox. Because she was dehydrated, they couldn't get the medication in her and so she went into cardiac arrest and it took quite a while for them to bring her back; CPR, being shocked in my home. And from there, they took her to the emergency room, where I watched for hours as the catheter they inserted produced no urine. As I watched them try to stabilize her blood pressure, which was far too low to sustain life in her organs. As I watched for hours as they tried to keep her blood pH up. Part of what happens when you go into organ failure is sometimes you start to bleed out so they had intubated her in my home and I watched the blood leak from her mouth and had them suction it out because her blood pH was too acidic. All the time saying to the doctor that you don't understand, she has a rehab bed waiting for her, yes, she wants to live. I think they were trying to tell me there was no way that was going to happen, but as a family member, you just can't believe that.

So, they suggested she be sent to Eastern Maine Medical Center to their CICU, where they could evaluate brain function. She was life-flighted there, my family and I drove through a foggy night to get there in time. They initially weren't going to let us come in because it was by that time 2:00 in the morning, but they called us and they said please come up and, you know, the CICU doesn't do that unless it's not good news. But I was still hopeful. I was still hopeful as I ran through that hospital when we got there, as they were putting the visitor bracelet on me because I thought I don't want her to be alone, I want her to live and I want her to go to rehab. And there was still no urine in the catheter bag and we waited for the doctor, who was the neurologist specialist for the CICU to come. And she explained to us that my sister was braindead, there was no brainstem function. So, I had to explain to my elderly mother that that meant my sister would never wake up again, would never breathe without this breathing tube and her organs were failing. I don't want any family member or any individual to ever go through that and I would do anything and I ask all of us to do anything to prevent that from happening because it's

gruesome. It's more gruesome than you can imagine. Thank you very much, Mr. Speaker.

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

Representative **LOOKNER**: Thank you, Mr. Speaker. We have an opportunity right now to change a mistake that we've been making collectively as a country for the last 40 years in our failed approach to the war on drugs. Experts of all stripes agree that substance use disorder is not a criminal issue, it is a behavioral issue, it is a mental health issue. So, we can't continue to approach this problem with the failed tools that we have been. We need to be extending a helping hand to recovery. We need to allow folks the opportunity to seek those services and not put them into incarceration. Our jails, our prisons are overflowing with people experiencing homelessness and substance use disorder, nonviolent offenders convicted of crimes for which there oftentimes aren't really any victims besides the offenders themselves. So, let's do the right thing, let's have some compassion for folks, let's save some lives, let's pass this bill. Thank you.

The **SPEAKER**: The Chair would remind the Member to not question the motives as to why other Members may or may not oppose the pending question. The Chair recognizes the Representative from Sanford, Representative Harrington.

Representative **HARRINGTON**: Thank you, Mr. Speaker. Request permission to pose a question through the Chair?

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

Representative **HARRINGTON**: I'm just wondering if anyone here has statistics on the number of people, I guess even here, just in Maine, specifically here in Maine, who have been arrested at the scene of an overdose. Because I'm rattling my brain over the course of my 18-year career in public safety, both responding on an ambulance and as a police officer and I cannot seem to think of a single occasion where someone was arrested at one of these scenes. So, I'm looking to see if anyone can answer that.

The **SPEAKER**: The Representative from Sanford, Representative Harrington, has posed a question through the Chair to anyone who wishes to answer it. The Chair recognizes the Representative from Rockland, Representative Geiger.

Representative **GEIGER**: Thank you, Mr. Speaker. It seems we stand straddled between two worlds; one is a version of opiate use disorder that believes it is criminal, due to a lack of character, or a voluntary choice. The other world is one that looks at the research and science and sees disease, illness, based often on the history of trauma, childhood abuse, experience of war, PTSD. It is an attempt to combat pain, to anesthetize pain, to blur and blunt terrible memories. Ninety percent of overdose cases, no one calls 9-1-1. If we believe that opiate disorder is a treatable disorder, that if they can live through the disease long enough, they can recover, then we need to do more to keep people alive. This bill attempts to do that. I think it is worthy of a chance. Thank you.

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

Representative **PICKETT**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a really tough bill and I'm sure there's all kinds of emotion going through the whole chamber at this time, rightfully so. Mr. Speaker, I woke up for 40 years, put a badge on my shoulder, on my chest and

took the tools of my trade and went out to enforce the laws of this State, to protect and to serve. And I did that to do my very best to make sure that our State was in a position where we were able to live and work and play in our communities in a safe way of doing so. And throughout that all, my main objective was to save lives. And when I went to the scene of an accident and somebody was really injured, my goal was to help save that life. Even sometimes when I got there before the ambulance got there. I can remember one night where I literally kept a person from bleeding to death because they were so badly injured and I did that willingly because that was my job. There's not a police officer in this State that I believe that would go to the scene of something like we're talking about right now with the idea of going to find somebody to arrest. They would go there to be with the paramedics and to go with them and to assist them with their job and to try to save the life of the person there and that's their sole responsibility and that's what they're going there for, Mr. Speaker. Mr. Speaker, the Good Samaritan Law that we passed in 2019 was the beginning of something good, I think. Good Samaritan, what does that mean? Good Samaritan means if I see somebody in peril or in danger of dying, I do everything I can do to make sure they're assisted and they make it through that particular circumstance, regardless of what it is, regardless of how I feel, regardless of what's going to happen to me. It's about this is a person that's dying, I want that person to live and I'm going to do anything and everything I can do to make sure that happens.

We heard the Good Representative from Hallowell speak about Courtney Allen. Courtney Allen, I consider a friend of mine. She is a lobbyist here and I could not agree more with Representative Warren on she is a very, very, very well-respected lobbyist in this building and I have utmost respect for her. We don't entirely agree on this, but we do agree on a lot of it. I want to make sure that somebody that gets in peril by having an overdose has the opportunity to live another day. That's why in 2019, the majority of the Criminal Justice Committee endorsed LD 329, which was "An Act To Exempt from Criminal Liability Persons Reporting a Drug-Related Medical Emergency" and the Legislature enacted it without amendment. The Chief Executive signed LD 329 into law, she strongly supported that, still supports it now, it's known as the Good Samaritan Law. Under the current Good Samaritan Law, Maine protects both the callers and the overdose victims from arrest or prosecution from drug possession and drug paraphernalia offenses and from revocation of probation. Unlike some other states, our law has no requirement to be the first to call, to provide a name, or to stay at the scene. This simplicity is important because there is a clarity about who is protected. Anyone and everyone who calls is protected against the violation of the crimes enumerated. The protection under current law is against all violations of 17A, 1107A, unlawful possession of a schedule drug, acquiring drugs by deception, use of drug paraphernalia. These Statutes contain numerous felonies. The protections also extend to 17 MRSA Chapter 67, Subchapter 1, Probation. So, a covered person is not subject to revocation of probation. Maine Statute is consistent, Mr. Speaker, with 41 states that provide protection from arrest and prosecution. Only one State provides protection under their Good Samaritan Law for all drug

offenses and, importantly, no state with a Good Samaritan Law provides protections for all nonviolent crimes. I repeat; no State. Twenty-five states prevent an immunized offense from being used to revoke probation, including Maine and 15 states prevent an immunized offense from being used to revoke pretrial release bail, as the bill proposes. Some states, statutes only apply to the person who calls and not necessarily the victim. Some only allow someone to benefit from the law one time, unlike Maine. The administration believes that Maine's current Good Samaritan Law is good. It's a needed policy. It is reasonable and consistent with most other states and it is well-designed to target the need for people to call 9-1-1 in a drug overdose emergency in order to save lives. That's the current law.

Maine Chiefs of Police Association testified that they understand the importance of getting medical help to drug overdose victims at the earliest possible moment and for that reason they supported the recently-enacted Good Samaritan Law, the one we just spoke of. That law provides an affirmative defense for both the person experiencing an overdose and the person providing aid who calls for assistance. Expanding the law to immunize persons who happen to be at the scene location as the victim and the caller is unwarranted and could result in protecting persons who may have committed offenses or who played no role in providing any aid whatsoever. The Maine Chiefs of Police Association is aware of another amendment which is part of this report but we are not on that right now; a solution to what we're trying to accomplish, which would take and broaden what we have in 329 but not broaden it to the point where as the motion that is on the floor right now is that every person at a scene, regardless of how many or how few, would be protected. It simply states, Mr. Speaker and rightfully so, if you are there and someone experiences an overdose and you are rendering aid, you are immune, period. You're immune. And isn't that really what we want? Don't we want people to be able to know that they can pick up the phone and call? Don't we want people to know that they can stay and render aid and they can help their friend and even if they were at someplace maybe and made a bad decision and maybe actually were doing something they shouldn't be doing but they were rendering aid, they would not be held accountable for it because the life of that person was what was important at the time. Isn't that what we all want, Mr. Speaker? I urge this Body to defeat the pending motion and to look at the other amended motion and pass that into law so we can have what we all desire to have and do it in a way that it's going to help save lives and going to do it in a way where it's not going to maybe make unintended circumstances that might happen that do not have to happen if we just let the police and the paramedics do their job. Because, Mr. Speaker, as I said before, none of them are out there looking around and mulling around and seeing what am I going to be able to charge this one for and that doesn't happen. I know. I did it for 40 years. I went to many scenes. Many scenes. And I know that does not happen, Mr. Speaker. I urge you to follow my light, defeat this motion and let's put the motion that will really help the people here in Maine and help to get this number of 636 down where it belongs and do what's right for the people of Maine and do it the right way. Thank you, Mr. Speaker.



The **SPEAKER**: The Chair recognizes the Representative from Newcastle, Representative Crafts.

Representative **CRAFTS**: Thank you, Mr. Speaker and Colleagues in the House. I rise in support of the motion before us. I spoke last week about my cousin, Zackary Forest-Gilbert, who died on September 25, 2021. But before he died, he lived. He was born with a head of blonde curls, he could make you laugh in an instant, he coveted his elver territory passionately. He lived his own complex life loudly and boldly. But Zack, like 635 other Mainers last year, died in silence. He died of an overdose. Unlike many throughout this pandemic, my cousin did not die alone and I find bits of solace in knowing his last breaths were in the presence of other life. But the people around him weren't able to hold onto his life. It slipped out of the room as they searched for Narcan. His pulse was gone as they cleaned up the apartment. His lungs halted as a friend filled a backpack and took off. When the honorable EMTs and law enforcement arrived at the scene two hours after the onset of the overdose, my cousin, in death, was silenced. While my grief and pain are unique to my own loss, the loss of our families, friends and neighbors is no longer unique in Maine and across our nation. Like others have said, many, if not most of us, have been directly affected by addiction. In addition to the 636 overdose fatalities this past year, there were nearly 9,000 nonfatal overdoses. These numbers undeniably point to a real and growing epidemic that knows no limits. I wish that Zack had survived, that he could stand here with us today, like many, recovering out loud. I wish his friends felt safe calling emergency services sooner and because I cannot make this true in the past, my hope for today is that anyone at the scene of an overdose makes the call for help and does it immediately. The current Good Samaritan Law doesn't do enough in its current form to help and this is why we need this change.

Mr. Speaker, I know this because across our State Mainers who use drugs are experiencing overdoses at alarming rates and people are not calling 9-1-1. I know why 120 minutes passed before Zack's friends called for help. They all had bail conditions and feared getting pulled back into the prison system they know too well. Two of them had been released from jail on drug charges just days before his overdose. I believe that each minute between Zack's last breath and the call to 9-1-1 was spent on the tightrope between the hope of saving him and the fear of losing their own freedom from incarceration. We have a chance in the 130th Legislature to end the fear for calling for help. Mr. Speaker, passing the motion before us will alleviate the fear of arrest, disruption, continued disconnection and harm. As Commissioner Liberty aptly said at the Augusta Recovery and Reentry Center's grand opening recently; we cannot arrest our way out of addiction. Charging my cousin's friends with bail violations and other minor crimes will not ease my family's suffering. Serving more time in jail will not promote accountability, as we know in the story of my cousin's death, it did nothing to end the long-term patterns of substance use amongst his peers. We are losing the chance to save hundreds of lives each year by focusing on a distorted idea of accountability. We here today can create a new model of accountability, one that sits on the broad shoulders of our State. Mr. Speaker, we must begin by supporting the motion

before us. Our communities, those on the frontlines of the opioid epidemic, are begging us to help, to pass bold legislation that will save thousands of Mainers' lives. Moving forward, we will measure accountability not in arrests and convictions but rather in precious individual lives given another chance to stand by our sides and recover out loud. We will be held to account by the numbers of brothers and sisters standing, breathing and refusing to die in silence. Mr. Speaker, I, speaking as a loved one of those lost, ask for your support of the motion before us as we refuse to allow more Mainers to die in silence.

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

Representative **O'NEIL**: Thank you, Mr. Speaker. I've also lost friends to an overdose and I know that they weren't by themselves those nights. This bill is about saving lives. This is about whether people feel safe to call for help. We've lost a generation to this crisis; 636 dead just last year. Please make this change so people feel safe to call for help. If this bill saves even one life, it will be worth it. Thank you.

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

Representative **DOUDERA**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, we've heard a lot today about emotion in our debate and this is an emotional topic. As I'm listening to the debate, I'm thinking about Sal, a blond-haired, blue-eyed guy who I first met when he was four. He was my sister-in-law's nephew and we spent every Thanksgiving together and he died of an overdose four years ago. He would have been 32, the same age as my middle son, this year. And that's the emotional part, right? But the fact is, we shattered our record for overdose deaths last year. We don't know what we're on track for for this year, but we know it's not good. And we've heard from our constituents, we've heard from advocates who work in this field that this bill before us will help. I don't know how we can ignore that. I look at that family, which I'm tangentially a part of but I see how they have suffered. And I really don't want any more of us here in this chamber or anybody else in our State, if we can help it, to have to go through the pain that they've been going through. I urge you to vote in support of this measure. Thank you.

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

Representative **BROOKS**: Thank you, Speaker Fecteau, People of the House. I rise in strong support of the pending motion. Opiate disorder and substance use disorder is a medical illness. We have the opportunity to save lives. Our recovery community, our communities, family, friends, are asking for this measure to help save lives, to help decrease the barriers to calling for help when help is needed. The recovery path is open when this measure takes place and I urge my colleagues to strongly support this motion as well. Thank you.

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

Representative **CROCKETT**: Thank you, Mr. Speaker, Men and Women of the House. First, I'm going to take a knowledgeable attempt to answer the fine Representative from Sanford's question. My guess is there have been few to none arrests for this. So, this bill makes me wonder, you know, is it

necessary. Then I put myself in the shoes of those folks that are in that room. Instinctively, as the Representative from Dixfield stated, they all want to do the right thing but they hesitate due to their own poor choices. This bill will take away the fear of arrest or worse consequences. That will result in a phone call that will save a life. I ask you to support this motion.

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

**ROLL CALL NO. 580**

YEA - Alley, Andrews, Arford, Babbidge, Bell, Berry, Blier, Blume, Boyle, Brennan, Brooks, Bryant, Caiazzo, Cardone, Carlow, Cloutier, Collings, Copeland, Corey, Crafts, Craven, Crockett, Cuddy, Dodge, Doudera, Dunphy, Evangelos, Evans, Faulkingham, Fay, Geiger, Gere, Gramlich, Grohoski, Harnett, Hasenfus, Hymanson, Kessler, LaRochelle, Lookner, Madigan, Martin J, Martin R, Martin T, Mathieson, Matlack, McCrea, McCreight, McDonald, Melaragno, Meyer, Millett, Morales, Moriarty, Nadeau, O'Neil, Ordway, Osher, Pebworth, Perry, Pierce, Pluecker, Reckitt, Rielly, Riseman, Roberts, Roeder, Sachs, Salisbury, Sheehan, Stover, Supica, Madam Speaker, Tepler, Terry, Warren C, Warren S, White, Williams, Wood, Zager, Zeigler, Mr. Speaker.

NAY - Arata, Austin, Bernard, Bickford, Bradstreet, Carmichael, Collamore, Connor, Costain, Dolloff, Downes, Drinkwater, Ducharme, Foster, Gifford, Greenwood, Griffin, Hall, Hanley, Harrington, Head, Hepler, Hutchins, Javner, Kinney, Lemelin, Libby, Lyford, Lyman, Mason, Morris, Newman, O'Connell, O'Connor, Parry, Perkins, Pickett, Poirier, Prescott, Quint, Rudnicki, Sampson, Skolfield, Stearns, Stetkis, Theriault, Thorne, Tucker, Tuell, Underwood, Wadsworth, White.

ABSENT - Cebra, Dillingham, Grignon, Haggan, Landry, Millett, Paulhus, Perry, Roche, Sharpe, Stanley, Sylvester.

Yes, 83; No, 52; Absent, 12; Vacant, 4; Excused, 0.

83 having voted in the affirmative and 52 voted in the negative, 4 vacancies with 12 being absent, and accordingly the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-560)** 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-560)** in concurrence.

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

**ENACTORS  
Emergency Measure**

An Act To Allow Internet Payment for Tickets and Chances for Raffles Held by Nonprofit Organizations and Other Eligible Organizations and To Require the Gambling Control Unit To Adopt Certain Rules

(S.P. 711) (L.D. 1980)  
(S. "B" S-565 to C. "A" S-524)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 117 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Acts**

An Act To Assist Qualifying Municipalities To Defray the Costs of Opting In To Permit Adult Use Marijuana Establishments

(H.P. 873) (L.D. 1195)  
(S. "A" S-564 to C. "B" H-1014)

An Act To Encourage Job Growth in the Forest Products Sector through Tax Incentives

(H.P. 1425) (L.D. 1919)  
(S. "A" S-561 to C. "A" H-944)

An Act Regarding Taxation of Energy Storage Facilities and Equipment

(H.P. 1512) (L.D. 2030)  
(C. "A" H-1015)

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

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

**SENATE PAPERS  
Non-Concurrent Matter**

Bill "An Act To Reclassify Certain Offenses under the Inland Fisheries and Wildlife Laws and Motor Vehicle Laws and Increase the Efficiency of the Criminal Justice System"

(H.P. 1193) (L.D. 1604)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-977)** in the House on April 14, 2022.

Came from the Senate with the Minority (5) **OUGHT TO PASS AS AMENDED** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-978)** in **NON-CONCURRENCE**.

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

**Non-Concurrent Matter**

Bill "An Act To Regulate the Use of Biometric Identifiers"

(H.P. 1450) (L.D. 1945)

Report "B" (5) **OUGHT TO PASS AS AMENDED** of the Committee on **JUDICIARY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (H-1018)** in the House on April 15, 2022.

Came from the Senate with Report "A" (6) **OUGHT TO PASS AS AMENDED** of the Committee on **JUDICIARY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-1017)** in **NON-CONCURRENCE**.

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

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

**REPORTS OF COMMITTEE**

**Divided Report**

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-520)** on Bill "An Act To Sustain Good-paying Jobs in the Forest Products Industry by Ensuring Consistency between Comprehensive River Resource Management Plans and State Water Quality Standards"

(S.P. 710) (L.D. 1979)

Signed:

Senators:

BRENNER of Cumberland  
BENNETT of Oxford  
CARNEY of Cumberland

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-521)** on same Bill.

Signed:

Representatives:

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

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-520) AS AMENDED BY SENATE AMENDMENT "A" (S-563)** thereto.

**READ.**

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-520)** was **READ** by the Clerk.

**Senate Amendment "A" (S-563)** to **Committee Amendment "A" (S-520)** was **READ** by the Clerk and **ADOPTED**.

**Committee Amendment "A" (S-520) as Amended by Senate Amendment "A" (S-563)** thereto was **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-520) as Amended by Senate Amendment "A" (S-563)** thereto in concurrence.

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

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

Representative **LOOKNER**: Thank you, Mr. Speaker. If I may, I missed the sentiment earlier, item 5-2. I'd like to speak on the record, if I may?

The SPEAKER: The Member may proceed.

Representative **LOOKNER**: Thank you, Mr. Speaker. So, Jesse Harvey had a tenacity, a focus and a singleness of mind for helping people caught up in the cycle of using drugs to find recovery that made him truly extraordinary. His activist work is well known and his leadership in founding organizations like Journey House Recovery and the Church of Safe Injection made him a leader in that community and his name has now become synonymous with the struggle for those who use drugs to overcome stigmatization and find recovery. His life, like the lives of over 600 other Mainers last year, came to a tragic end after only 28 years in September of 2020. I had the privilege of knowing Jesse and saw him only two weeks prior to that sad day. He was working on a construction site in Portland to rehabilitate an old convent to create housing for people experiencing homelessness, mental illness and substance use disorder. To see him that day was to see another working Mainer lending a hand to improve his community. When he was not organizing a rally or participating in a sit-in, he was just a regular kid. In Maine, we are losing nearly two of our neighbors a day to the opioid epidemic and our State's jails and prisons are full of nonviolent people who need recovery, not incarceration. Experts agree that substance use disorder is a behavioral and mental health issue, not a criminal one. People with substance use disorder want the same things that all of us want; a place in their community, stability in their homes, meaningful and gainful work and hope for the future. Unfortunately, criminalization and stigmatization of these folks often drives them further into the shadows and far too many of them never reemerge. We can help in this Body by investing more in recovery services to ensure that there are beds available when any individual decides to seek recovery and detox services and in supported housing. We can also help by passing bills like we just did, so, congratulations to everybody in this House, we're making progress. But it is going to require a different approach than the failed approach to the war on drugs of the last 50 years. Jesse Harvey famously said people who use drugs don't deserve to die. That should not be a radical statement. Let us take those words seriously and keep taking the required actions to abate this crisis of overdoses we are currently facing, so we can do that in Jesse's memory. Thank you.

**ENACTORS**

**Acts**

An Act To Strengthen Maine's Good Samaritan Laws Concerning Drug-related Medical Assistance  
(S.P. 661) (L.D. 1862)  
(C. "B" S-560)

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.

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**SENATE PAPERS**

**Non-Concurrent Matter**

Bill "An Act To Provide Access to Fertility Care"  
(H.P. 1144) (L.D. 1539)

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-865)** in the House on March 31, 2022.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-865) AS AMENDED BY SENATE AMENDMENT "A" (S-566)** thereto in **NON-CONCURRENCE**.

Representative DILLINGHAM of Oxford **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

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

**ROLL CALL NO. 581**

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

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

ABSENT - Cebra, Cuddy, Dolloff, Evangelos, Grignon, Haggan, Head, Landry, McDonald, Paulhus, Perry, Riseman, Roche, Sharpe, Skolfield, Stanley, Stetkis, Sylvester.

Yes, 72; No, 57; Absent, 18; Vacant, 4; Excused, 0.

72 having voted in the affirmative and 57 voted in the negative, 4 vacancies with 18 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

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

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**ENACTORS**

**Emergency Measure**

An Act To Correct Inconsistencies, Conflicts and Errors in the Laws of Maine  
(H.P. 1516) (L.D. 2034)  
(C. "A" H-1028)

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

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

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**Acts**

An Act To Establish a Presumption of Entitlement to Counsel for a Person Who Is the Subject of an Adult Guardianship, Conservatorship or Other Protective Arrangement Proceeding

(H.P. 354) (L.D. 480)  
(C. "A" H-1010)

An Act To Reclassify Certain Offenses under the Inland Fisheries and Wildlife Laws and Motor Vehicle Laws and Increase the Efficiency of the Criminal Justice System

(H.P. 1193) (L.D. 1604)  
(C. "B" H-978)

An Act To Implement the Recommendations of the Commission To Create a Plan To Incorporate the Probate Courts into the Judicial Branch

(H.P. 1453) (L.D. 1950)  
(C. "A" H-1019)

An Act Regarding the Development of Comprehensive River Resource Management Plans

(S.P. 710) (L.D. 1979)  
(S. "A" S-563 to C. "A" S-520)

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.

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

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On motion of Representative SHEEHAN of Biddeford, the House adjourned at 4:13 pm until 10:00 a.m., Tuesday, April 19, 2022; in honor and lasting tribute to Jessi Gilbert, of Biddeford and Margaret Minihan, of Biddeford.