

# MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE  
FIRST SPECIAL SESSION  
7th Legislative Day  
Thursday, April 20, 2023

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

Prayer by Honorable Victoria W. Doudera, Camden.  
National Anthem by Honorable John "Jack" E. Ducharme III, Madison.

Pledge of Allegiance.

The Journal of Tuesday, April 18, 2023 was read and approved.

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

**COMMUNICATIONS**

The Following Communication: (H.C. 134)

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

April 20, 2023

Honorable Rachel Talbot Ross  
Speaker of the House  
2 State House Station  
Augusta, Maine 04333

Dear Speaker Talbot Ross:

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

Criminal Justice and Public Safety

L.D. 647 An Act to Amend the Life Safety Code Regarding When Sprinkler Systems May Be Shut Off

Health Coverage, Insurance and Financial Services

L.D. 1041 An Act to Ensure Dental Insurance Coverage for Certain Adults with Disabilities

L.D. 1146 An Act to Authorize Certain Health Care Professionals to Prescribe Methadone

Taxation

L.D. 793 An Act to Support Municipal Services with Revenue Sharing

Sincerely,

S/Robert B. Hunt  
Clerk of the House

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

The Following Communication: (H.C. 135)

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

April 20, 2023

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

Dear Clerk Hunt:

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

on April 18, 2023

The Honorable Michael Shaw of Freeport for appointment to the Maine Outdoor Heritage Fund Board.

Pursuant to Title 12 MRSA §10308, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Environment and Natural Resources.

Phat Gia Thai of Portland for appointment to the State Board of Education as the Student Member from the First Congressional District.

Pursuant to Title 20-A, MRSA §401, this appointment is contingent on the Maine State Senate's confirmation after review by the Joint Standing Committee on Education and Cultural Affairs.

Sincerely,

S/Rachel Talbot Ross  
Speaker of the House

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

The Following Communication: (S.C. 341)

**MAINE SENATE  
131st LEGISLATURE**

April 18, 2023

Honorable Rachel Talbot Ross  
Speaker of the House  
2 State House Station  
Augusta, ME 04333-0002

Dear Speaker Talbot Ross:

In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 131st Maine Legislature, please be advised that the Senate today confirmed the following nominations

Upon the recommendation of the Committee on Judiciary:

- The Honorable Jennifer A. Archer of Falmouth for appointment, as a Superior Court Justice,
- The Honorable Gregory A. Campbell of Hampden for appointment, as an Active Retired Judge of the District Court,
- The Honorable Keith A. Powers of Cape Elizabeth for reappointment, as an Active Retired Judge of the District Court,
- The Honorable William R. Stokes of Augusta for appointment, as an Active Retired Justice of the Superior Court.

Upon the recommendation of the Committee on Labor and Housing:

- John H. Kimball of Norway for reappointment, to the Maine Public Employees Retirement System Board of Trustees,
- Richard Metivier of Lewiston for reappointment to the Maine Public Employees Retirement System Board of Trustees.

Upon the recommendation of the Committee on Veterans and Legal Affairs:

- David R. Hastings, Esquire of Fryeburg for reappointment, to the Commission on Governmental Ethics and Election Practices.

Best Regards,  
S/Darek M. Grant  
Secretary of the Senate

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

**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

Bill "An Act to Enhance the Use of Critical Incident Stress Management Teams and to Require Peer Team Support"

(H.P. 1121) (L.D. 1742)

Sponsored by Representative GRAMLICH of Old Orchard Beach.

Cosponsored by Senator STEWART of Aroostook and Representatives: COPELAND of Saco, GEIGER of Rockland, O'CONNELL of Brewer, SALISBURY of Westbrook, STOVER of Boothbay, Senator: BEEBE-CENTER of Knox.

Bill "An Act to Support Public Health by Protecting Certain Activities Conducted Under Comprehensive Community Drug Checking Initiatives"

(H.P. 1124) (L.D. 1745)

Sponsored by Representative LaROCHELLE of Augusta.

Cosponsored by Representatives: CRAFTS of Newcastle, MILLIKEN of Blue Hill.

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

**REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

Sent for concurrence.

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Bill "An Act to Promote Educational Opportunity Through the Educational Choice Tax Credit Program, Eliminating Certain Restrictions on Charter Schools and Virtual Public Charter Schools, Allowing More Entities to Authorize Charter Schools and Clarifying Educational Policy on Immunization Requirements"

(H.P. 1120) (L.D. 1741)

Sponsored by Representative BAGSHAW of Windham.

Cosponsored by Senator KEIM of Oxford and Representatives: ARATA of New Gloucester, FREDERICKS of Sanford, GRIFFIN of Levant, JAVNER of Chester, PAUL of Winterport, PERKINS of Dover-Foxcroft, SMITH of Palermo, Senator: STEWART of Aroostook.

Bill "An Act to Reform the School Budget Referendum Process by Limiting the Circumstances in Which Referenda Occur"

(H.P. 1127) (L.D. 1748)

Sponsored by Representative ABDI of Lewiston.

Cosponsored by Representatives: ANKELES of Brunswick, CLOUTIER of Lewiston, CLUCHEY of Bowdoinham, CRAVEN of Lewiston, DANA of the Passamaquoddy Tribe, DHALAC of South Portland, STOVER of Boothbay, Senator: ROTUNDO of Androscoggin.

Committee on **EDUCATION AND CULTURAL AFFAIRS** suggested and ordered printed.

**REFERRED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** and ordered printed.

Sent for concurrence.

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Bill "An Act to Expand the General Assistance Program" (EMERGENCY)

(H.P. 1111) (L.D. 1732)

Sponsored by Representative MEYER of Eliot.

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

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

Sent for concurrence.

Bill "An Act to Support an Insured Patient's Access to Affordable Health Care with Timely Access to Health Care Prices"

(H.P. 1119) (L.D. 1740)

Sponsored by Representative ARFORD of Brunswick.

Cosponsored by Senator BAILEY of York and Representatives: BELL of Yarmouth, CYRWAY of Albion, DODGE of Belfast, MADIGAN of Waterville, PERRY of Calais, SHAGOURY of Hallowell, WILLIAMS of Bar Harbor, Senator: BRAKEY of Androscoggin.

Committee on **HEALTH AND HUMAN SERVICES** suggested.

On motion of Representative MEYER of Eliot, the Bill was **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES**, ordered printed and sent for concurrence.

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Bill "An Act to Advance the National HIV/AIDS Strategy in Maine by Broadening HIV Testing"

(H.P. 1115) (L.D. 1736)

Sponsored by Representative OSHER of Orono.

Cosponsored by Senator BALDACCI of Penobscot and Representatives: CRAVEN of Lewiston, DHALAC of South Portland, GEIGER of Rockland, JAVNER of Chester, MILLIKEN of Blue Hill, MOONEN of Portland, Senator: MOORE of Washington.

Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

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

Sent for concurrence.

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Bill "An Act Regarding Confidentiality of Juvenile History Record Information"

(H.P. 1110) (L.D. 1731)

Sponsored by Speaker TALBOT ROSS of Portland.

Bill "An Act to Safeguard Gender-affirming Health Care"

(H.P. 1114) (L.D. 1735)

Sponsored by Representative OSHER of Orono.

Cosponsored by Senator CARNEY of Cumberland and Representatives: MILLIKEN of Blue Hill, MOONEN of Portland, SALISBURY of Westbrook, SHEEHAN of Biddeford, WORTH of Ellsworth.

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

**REFERRED** to the Committee on **JUDICIARY** and ordered printed.

Sent for concurrence.

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Bill "An Act to Require Responsible Contracting Practices for Public Construction Projects"

(H.P. 1125) (L.D. 1746)

Sponsored by Representative COLLINGS of Portland.

Cosponsored by President JACKSON of Aroostook.

Committee on **LABOR AND HOUSING** suggested and ordered printed.

**REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed.

Sent for concurrence.

Bill "An Act to Clarify the Authority of Municipalities to Regulate Short-term Rentals"

(H.P. 1113) (L.D. 1734)

Sponsored by Representative HASENFUS of Readfield.

Cosponsored by Senator: HICKMAN of Kennebec.

Bill "An Act to Create Lodging for Legislators"

(H.P. 1117) (L.D. 1738)

Sponsored by Representative COLLINGS of Portland.

Cosponsored by Representatives: CARLOW of Buxton, FAULKINGHAM of Winter Harbor, PERRY of Bangor, TERRY of Gorham, THERIAULT of Fort Kent, Senators: President JACKSON of Aroostook, VITELLI of Sagadahoc.

Bill "An Act to Strengthen Accountability in Rulemaking by Providing for Legislative Oversight"

(H.P. 1123) (L.D. 1744)

Sponsored by Representative ANDREWS of Paris.

Committee on **STATE AND LOCAL GOVERNMENT** suggested and ordered printed.

**REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

Sent for concurrence.

Bill "An Act to Require the Revenue Forecasting Committee to Prepare Economic Impact Statements for Certain Legislation"

(H.P. 1112) (L.D. 1733)

Sponsored by Representative MILLETT of Waterford.

Cosponsored by Senator GUERIN of Penobscot and Representatives: BRADSTREET of Vassalboro, COLLAMORE of Pittsfield, TERRY of Gorham, Senator: TIMBERLAKE of Androscoggin.

Committee on **STATE AND LOCAL GOVERNMENT** suggested.

On motion of Representative STOVER of Boothbay, the Bill was **REFERRED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS**, ordered printed and sent for concurrence.

Bill "An Act to Provide up to \$5,000 in Property Tax Relief to Veterans"

(H.P. 1116) (L.D. 1737)

Sponsored by Representative HYMES of Waldo.

Cosponsored by Senator STEWART of Aroostook.

Bill "An Act to Extend Development District Tax Increment Financing Districts"

(H.P. 1118) (L.D. 1739)

Sponsored by Representative KUHN of Falmouth.

Cosponsored by Senator PIERCE of Cumberland and Representatives: BRIDGEO of Augusta, DHALAC of South Portland, KESSLER of South Portland, LaROCHELLE of Augusta, MALON of Biddeford, MORIARTY of Cumberland, MURPHY of Scarborough, SACHS of Freeport.

Bill "An Act to Eliminate the Personal Property Tax"

(H.P. 1122) (L.D. 1743)

Sponsored by Representative ANDREWS of Paris.

Bill "An Act to Return the Sales Tax Rate to 5 Percent"

(H.P. 1126) (L.D. 1747)

Sponsored by Representative ARATA of New Gloucester.

Cosponsored by Senator KEIM of Oxford and Representatives: DUCHARME of Madison, FAULKINGHAM of Winter Harbor, LAVIGNE of Berwick, Senator: STEWART of Aroostook.

Committee on **TAXATION** suggested and ordered printed. **REFERRED** to the Committee on **TAXATION** and ordered printed.

Sent for concurrence.

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#### Pursuant to Statute

#### Family Law Advisory Commission

Representative MOONEN for the **Family Law Advisory Commission** pursuant to the Maine Revised Statutes, Title 19-A, section 354, subsection 2 asks leave to report that the accompanying Bill "An Act to Implement Changes to the Laws Relating to Judicial Separation and Divorce Regarding Preliminary Injunctions as Recommended by the Family Law Advisory Commission"

(H.P. 1109) (L.D. 1730)

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

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

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

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#### ORDERS

On motion of Representative WHITE of Waterville, the following House Order: (H.O. 20)

**ORDERED**, that Representative Michael H. Lemelin of Chelsea be excused Apr 6 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Karen L. Montell of Gardiner be excused Apr 11 and 12 for health reasons.

**AND BE IT FURTHER ORDERED**, that Representative Reagan L. Paul of Winterport be excused Feb 28 for personal reasons.

**AND BE IT FURTHER ORDERED**, that Representative Chad Richard Perkins of Dover-Foxcroft be excused Apr 11, 12 and 13 for health reasons.

**AND BE IT FURTHER ORDERED**, that Representative Tiffany Roberts of South Berwick be excused Apr 11 and 12 for health reasons.

**READ and PASSED.**

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#### SPECIAL SENTIMENT CALENDAR

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

#### Recognizing:

the William S. Cohen School TechRise Student Challenge Team, of Bangor, which won the National Aeronautics and Space Administration 2023 TechRise Student Challenge with a high-altitude balloon flight experiment testing air quality in different locations at different altitudes. Members of the team include Lyell Walker, Leo Tang, Reed Marasco, Obi Okafor, Ben Beaulieu and Henry Bennett and teacher Margaret Pietrak. We extend our congratulations and best wishes;

(HLS 258)

Presented by Representative ROEDER of Bangor.

Cosponsored by Senator BALDACCI of Penobscot, Representative PERRY of Bangor, Representative RANA of Bangor, Representative SUPICA of Bangor.

On **OBJECTION** of Representative ROEDER of Bangor, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER**: The Chair recognizes the Representative from Bangor, Representative Roeder.

Representative **ROEDER**: Madam Speaker, Ladies and Gentlemen of the House, I rise with great pride to celebrate the accomplishments of a group of exceptional young people, two of whom live on the best block in Bangor; mine. Students all over the country participated in NASA's TechRise Student Challenge, spending countless hours honing their projects, experiments that could be tested on a NASA-sponsored high-altitude balloon flight launching this summer. I need to point out that the intrepid team from Bangor's William S. Cohen School did not have countless hours to hone their project. This team crafted a winning entry in a short four days. Their team will receive funds to build their experiment and will meet with TechRise engineers to ready the project for the NASA balloon launch this summer.

As two of the young people stated in a news story earlier; we're going to teach them a lot about engineering. They're going to get better at their jobs once we're done. Bangor's teachers are absolutely exceptional and this team's advisor, Ms. Pietrak, is no exception. Ms. Pietrak knew the short turnaround would be tight but she believed in her team, shepherding them to victory. Her dedication and enthusiasm, her expertise and knowledge, but most importantly her love for her job as an educator should be acknowledged and celebrated. I will leave you with the words of Lyell Walker and Reed Marasco; if you really focus and work really hard on it, anything's possible. If you have an idea, stick with it, because you can do it. Thank you.

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

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**In Memory of:**

the Honorable Henry Joy, of Island Falls. Mr. Joy was a veteran of the United States Air Force. He worked as a teacher, principal and superintendent of schools in Island Falls and also taught in Katahdin Schools before retiring from teaching in 1992. For a time, he was Hospital Administrator of Milliken Memorial Hospital. In 1992, he was elected to the Maine House of Representatives to serve in the 116th Legislature, and he served through the 119th Legislature. In 1998, he ran for the office of Governor of Maine, after which he served as a Selectman for the Town of Crystal. He was returned to the House of Representatives in 2002, serving in the 121st through 124th Legislatures. He was a member of the Masons, Lions Club, Molunkus Valley Sno Drifters Club and Big Valley Snow Club, and he volunteered for many other local clubs and organizations. Mr. Joy will be long remembered and sadly missed by his wife of 62 years, Mary, his family and friends and all those whose lives he touched;

(SLS 401)

On **OBJECTION** of Representative CAMPBELL of Orrington, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER**: The Chair recognizes the Representative from Orrington, Representative Campbell.

Representative **CAMPBELL**: Thank you, Madam Speaker, Men and Women of the House. Henry Joy was a gentle man, a true Christian and a great leader. There aren't many of us that got elected in '92 and served in the 116th and

119th except for the Good Representative from Portland, Brennan is his name. We come into this place and there's a story about a new elected looking around and saying wow, how did I get here? And then about 30 days later, we look around and say wow, how did they get here? But that wasn't Henry Joy. Henry Joy served with us, served his; I actually didn't even know what the town of Crystal was but Henry Joy was Crystal and he was a tremendous leader, ran for governor. In his own quiet way, he left some considerable fingerprints on this Body, so; thank you, Madam Speaker.

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

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**In Memory of:**

Alexander Joseph Juniewicz, Jr., of Westbrook. Mr. Juniewicz was a veteran of the United States Air Force. He was stationed in Colorado and Nome, Alaska, serving as an Air Traffic Controller. He returned to Maine and became a teacher, teaching Industrial Arts at Portland High School and later at Scarborough High School. He went on to serve as the Principal of Scarborough High School. Following his retirement from his education career, he worked in real estate and development for many years. He participated in the Westbrook City Council, Rotary Club, Mission Possible and Greater Portland Council of Governments. He was a member of the Westbrook Congregational Church and a 60-year member of Prides Corner Church. Mr. Juniewicz will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

(HLS 259)

Presented by Representative SALISBURY of Westbrook.

Cosponsored by Senator DUSON of Cumberland, Senator NANGLE of Cumberland, Representative GATTINE of Westbrook, Representative RIELLY of Westbrook.

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

**READ.**

The **SPEAKER**: The Chair is pleased to recognize the Representative from Westbrook, Representative Salisbury.

Representative **SALISBURY**: Madam Speaker, Ladies and Gentlemen of the House, I rise today to honor the memory of Alexander Joseph Juniewicz, Jr., or Al as I knew him. Al loved being a member of the Westbrook community, as you've heard of all the organizations he was a part of; the City Council, the Rotary, the Mission Possible Teen Center, the Greater Portland Council of Governments. He really was involved in so many different things and I always enjoyed having the opportunity to speak with him about the current events of the city and he offered a lot of great advice when I first started out on the School Committee. I met Al and his lovely wife, Kit, at Pride's Corner Congregational Church where, as you heard, they were members for 60 years. I loved working at the bean suppers with them and always had great conversations with both of them. Al really also loved the outdoors. He did all the fun things that Mainers love to do; camping, boating, horseshoes, playing card games. Al will be missed not only by his friends and his family but the entire Westbrook community. Thank you.

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

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

Representative **THORNE**: Thank you, Madam Speaker. A little late on the button when it came to the memoriam to the Honorable Henry Joy. My father grew up at Island Falls and we had a long and lasting relationship with the town of Island Falls as we had a camp there growing up and I continue to have a camp there today. And Henry Joy and Mary Joy were essentially part of the community. I was so young, so very young compared to the legacy that was. But my father ran for State Representative in 1986 and among that, they had conversations with Henry Joy and there were two Carl Smiths at that time, there was a Carl W. Smith and a Carl B. Smith. One was Republican, one was Democrat. There was a lot of back and forth, as you can imagine, between the two in Aroostook County. But I just want to stand today to let you know that Henry Joy was a staple in not only Crystal, his home town, but neighboring Island Falls and contributed both with his children and with his presence in the town and did many, many things in conjunction with my father but, again, I was so young, so very young, that my recollection is somewhat hazy. But I just wanted to stand and recognize that Mr. Henry Joy was an asset to this community. Thank you.

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

Representative **QUINT**: Thank you, Madam Speaker. I also rise to commemorate Henry Joy. Although I never had the privilege of meeting the Honorable Henry Joy of Island Falls, it is an honor to stand before you today as the Representative serving that town and to remember his life and service. Henry embodied what it means to be a dedicated civil servant when he was elected to serve in the 116th Legislature. He was a veteran, forester, gardener, hunter, fisherman, carpenter, plumber, electrician, singer, coach, educator, notary, chaplain and legislator. But, above all, a beacon of kindness and selflessness for those who had the privilege of knowing him. I have been told that Henry ran cross-country in high school and he did not stop running well into his 70s. As I settle in to representing Island Falls, Crystal, and parts of that same Katahdin community in the 131st Legislature, I will remember what big shoes I have to fill for those towns. Henry left a legacy that will surely last the test of time. A life such as this deserves commemoration and we should all take notice as we continue to serve our respective communities of how Representative Joy compassionately and diligently worked to improve the lives of those around him. Thank you.

**REPORTS OF COMMITTEE  
Divided Reports**

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Bill "An Act to Prohibit the Use of Electronic Benefits Transfer System Cards for Cash Withdrawals"

(S.P. 56) (L.D. 117)

Signed:

Senators:

BALDACCI of Penobscot  
INGWERSEN of York

Representatives:

MEYER of Eliot  
CRAVEN of Lewiston  
GRAHAM of North Yarmouth  
MADIGAN of Waterville  
SHAGOURY of Hallowell  
ZAGER of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-24)** on same Bill.

Signed:

Senator:

MOORE of Washington

Representatives:

FREDERICKS of Sanford  
GRIFFIN of Levant  
JAVNER of Chester  
LEMELIN of Chelsea

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

**READ.**

Representative MEYER of Eliot moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

Representative **JAVNER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to the motion on the floor. This bill is seeking to close a loophole in our TANF program, which is the Temporary Assistance for Needy Families, which is a social safety net for families. All of us know that there are people in our districts that need this program. We don't want to take this program away whatsoever. However, there are prohibitions for purchasing tobacco, alcohol and other nefarious items that are not necessary for the thriving families. And the amendment is really what I would like to get to so I would ask that we vote down this motion so that we can speak to that amendment. And this is just accountability for cash purposes so I'd ask you to follow my light so that we can increase the integrity of this program. Thank you.

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

**ROLL CALL NO. 33**

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Carlow, Carmichael, Costain, Cray, Cyrway, Davis, Ducharme, Faulkingham, Foster, Gifford, Greenwood, Griffin, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lavigne, Lemelin, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Schmearsal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, White J, Woodsome.

ABSENT - Campbell, Collamore, Drinkwater, Dunphy, Eaton, Fredericks, Galletta, Hall, Kessler, Lajoie, Lanigan, Libby, Perry J, Sampson, Shaw, Walker, Wood.

Yes, 78; No, 55; Absent, 17; Vacant, 1; Excused, 0.

78 having voted in the affirmative and 55 voted in the negative, 1 vacancy with 17 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

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Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act to Reduce Out-of-pocket Prescription Drug Expenses for Coinsurance"

(S.P. 317) (L.D. 759)

Signed:

Senators:

BAILEY of York  
BRAKEY of Androscoggin  
RENY of Lincoln

Representatives:

PERRY of Calais  
ARFORD of Brunswick  
CLUCHEY of Bowdoinham  
CYRWAY of Albion  
MASTRACCIO of Sanford  
MATHIESON of Kittery  
MORRIS of Turner  
NUTTING of Oakland  
SWALLOW of Houlton

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-23)** on same Bill.

Signed:

Representative:

PRINGLE of Windham

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

**READ.**

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

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Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act to Decrease the Minimum Age to Operate a School Bus"

(S.P. 389) (L.D. 918)

Signed:

Senators:

CHIPMAN of Cumberland  
FARRIN of Somerset

Representatives:

WILLIAMS of Bar Harbor  
ALBERT of Madawaska  
ANKELES of Brunswick  
CRAFTS of Newcastle  
MASON of Lisbon  
O'CONNELL of Brewer  
PARRY of Arundel  
THERIAULT of Fort Kent  
WHITE of Waterville

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

Signed:

Representative:

WHITE of Guilford

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

**READ.**

On motion of Representative WILLIAMS of Bar Harbor, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

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Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Require Students to Demonstrate Knowledge of the Constitution of Maine and the United States Constitution"

(H.P. 143) (L.D. 222)

Signed:

Senators:

RAFFERTY of York  
LIBBY of Cumberland  
PIERCE of Cumberland

Representatives:

BRENNAN of Portland  
DODGE of Belfast  
LYMAN of Livermore Falls  
MILLETT of Cape Elizabeth  
MURPHY of Scarborough  
POLEWARCZYK of Wiscasset  
SAMPSON of Alfred  
SARGENT of York  
WORTH of Ellsworth

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-39)** on same Bill.

Signed:

Representative:

BAGSHAW of Windham

**READ.**

Representative BRENNAN of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

Representative **GRIFFIN**: Thank you, Madam Speaker and Ladies and Gentlemen of the House. Thank you for allowing me to speak. The argument while discussing LD 222 in committee was that teaching our Constitution is already in the learning results. But it's been my experience that our young people do not know their Constitution. Our country's government is unique because of its Constitution. It was designed by our almighty God. Listen to its preamble: We the People of the United States, in order to form a more perfect

union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

I want our young people to know why our country is so special. I want our young people to know why we need to stand up for our Constitution and secure the blessings of liberty. When a young person graduates from high school, I want them to know how their government is supposed to work, how there are checks and balances and when their freedoms are jeopardized. Thank you, Madam Speaker.

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

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass** on Resolve, Regarding Legislative Review of Chapter 171: Control of Petroleum Storage Facilities, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY)

(H.P. 46) (L.D. 71)

Signed:

Senators:

BRENNER of Cumberland  
CARNEY of Cumberland

Representatives:

GRAMLICH of Old Orchard Beach  
BELL of Yarmouth  
BRIDGEO of Augusta  
DOUDERA of Camden  
HOBBS of Wells  
O'NEIL of Saco  
SCHMERSAL-BURGESS of Mexico  
SOBOLESKI of Phillips  
WOODSOME of Waterboro

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-42)** on same Resolve.

Signed:

Senator:

LYFORD of Penobscot

Representative:

CAMPBELL of Orrington

**READ.**

On motion of Representative GRAMLICH of Old Orchard Beach, the Majority **Ought to Pass** Report was **ACCEPTED**.

The Resolve was **READ ONCE**.

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

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

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-38)** on Resolve, to Require the Maine Board of Pharmacy to Review Work Practices and Treatment of Pharmacists

(H.P. 173) (L.D. 275)

Signed:

Senators:

BAILEY of York  
BRAKEY of Androscoggin

Representatives:

PERRY of Calais  
ARFORD of Brunswick  
CLUCHEY of Bowdoinham  
MASTRACCIO of Sanford  
MATHIESON of Kittery  
MORRIS of Turner  
NUTTING of Oakland

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

Signed:

Representatives:

CYRWAY of Albion  
SWALLOW of Houlton

**READ.**

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-38)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-38)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act to Amend the Laws Governing the Right to Counsel for Juveniles and Due Process for Juveniles"

(H.P. 86) (L.D. 140)

Signed:

Senators:

CARNEY of Cumberland  
BAILEY of York  
LYFORD of Penobscot

Representatives:

MOONEN of Portland  
HAGGAN of Hampden  
HENDERSON of Rumford  
KUHN of Falmouth  
LEE of Auburn  
MORIARTY of Cumberland  
POIRIER of Skowhegan  
RECKITT of South Portland  
SHEEHAN of Biddeford



Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-40)** on same Bill.

Signed:

Representative:

ANDREWS of Paris

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

**READ.**

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

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Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act to Codify That Freedom of Access Act and Freedom of Information Act Requests Are Not Hate Crimes"

(H.P. 454) (L.D. 685)

Signed:

Senators:

CARNEY of Cumberland

BAILEY of York

Representatives:

MOONEN of Portland

KUHN of Falmouth

LEE of Auburn

MORIARTY of Cumberland

RECKITT of South Portland

SHEEHAN of Biddeford

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

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ANDREWS of Paris

HAGGAN of Hampden

HENDERSON of Rumford

POIRIER of Skowhegan

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

**READ.**

Representative MOONEN of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

Representative **ANDREWS**: Thank you, Madam Speaker. The catalyst for this bill came from a meeting of the State's Right to Know Advisory Committee in November of 2022. In that meeting, a member of the Right to Know Board, who was also the Maine School Board Management Association's Director of Communications and Government Affairs said, quote, if these type of targeted FOIA requests are allowed to go forward, and make no mistake, these requests are intended to discourage public support for all students regardless of their gender identity, it will be a despicable misuse of the FOIA law. Personally, I believe these requests are just another form of hate speech.

I found these words and the thought process behind them to be very troubling. People as individuals can hold whatever ideas or opinions they want. However, when statements like these are made on a board whose jurisdiction covers the right to know, the base transparency in this State, it is important to address them. It is imperative that Maine Statutes explicitly state that any information requests coming from Maine citizens are not hate speech or hate crimes. There must be absolutely no confusion that requests from government for information by the people can never be used against them by the government. It is exceptionally dangerous when government authorities and powerful lobbying associations begin to make moves to classify what requests for information from the public are valid and which ones are not. It must be recognized immediately and stopped before it is allowed to metastasize. Calling something hate speech because you and your organization do not want to deal with the information request is more than being dismissive; it is censorship. Censorship is always bad, but to frame concerned parents, grandparents and parental rights advocates as bigots and hateful people for requesting information is quite pernicious and it must not stand. The government is not allowed to use protected class status as a shield to deny taxpayers information that they request. I ask you to protect and affirm in Statute that FOAA and FOIA requests are not hate speech or hate crimes. I ask you to take a stand against censorship in any form and state that in Maine, a request for information from a government entity shall never be branded as hate speech. Please follow my light. Thank you, Madam Speaker.

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

Representative **MOONEN**: Thank you, Madam Speaker, Members of the House. Very briefly, the Committee did not receive any evidence that anyone who has ever submitted a Freedom of Access request has ever been charged with any crime for doing so, much less a hate crime. Furthermore, we got testimony from the Criminal Law Advisory Commission expressing concern that it is possible that someone could make a threat to a public official while submitting a FOAA request and therefore automatically exempting all FOAA requests from criminal prosecution would not be appropriate if someone actually was adding a threat while making that request. So, the majority of the Committee felt that this bill was attempting to solve a problem that does not exist and we're skeptical that a prosecutor would ever actually bring a charge like this in the first place. Thank you, Madam Speaker.

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

**ROLL CALL NO. 34**

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Carlow, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Perry A, Pluecker, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carmichael, Costain, Cray, Cyrway, Davis, Ducharme, Faulkingham, Foster, Gifford, Greenwood, Griffin, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lavigne, Lemelin, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Schmearsal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, White J, Wood, Woodsome.

ABSENT - Collamore, Drinkwater, Dunphy, Eaton, Fredericks, Galletta, Hall, Kessler, Lajoie, Lanigan, Libby, Paulhus, Perry J, Riseman, Sampson, Shaw, Walker.

Yes, 77; No, 56; Absent, 17; Vacant, 1; Excused, 0.

77 having voted in the affirmative and 56 voted in the negative, 1 vacancy with 17 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act Regarding the Limits on Civil Remedies Available Under the Maine Human Rights Act" (H.P. 607) (L.D. 960)

Signed:

Senators:

CARNEY of Cumberland  
BAILEY of York

Representatives:

MOONEN of Portland  
KUHN of Falmouth  
LEE of Auburn  
MORIARTY of Cumberland  
RECKITT of South Portland  
SHEEHAN of Biddeford

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

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ANDREWS of Paris  
HAGGAN of Hampden  
HENDERSON of Rumford  
POIRIER of Skowhegan

**READ.**

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

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Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-45)** on Bill "An Act to Define 'Mail' in the Employment Security Law to Include Electronic Notification"

(H.P. 17) (L.D. 13)

Signed:

Senators:

TIPPING of Penobscot  
DAUGHTRY of Cumberland

Representatives:

ROEDER of Bangor  
GEIGER of Rockland  
GERE of Kennebunkport  
MALON of Biddeford  
RUSSELL of Verona Island  
SKOLD of Portland

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

BRADSTREET of Vassalboro  
DRINKWATER of Milford  
SOBOLESKI of Phillips

**READ.**

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

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

Representative **BRADSTREET**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I do not request a roll call on this, so we can put that aside, although I do think sometimes it's helpful to know why people vote against certain bills. When this came before us, it was supposed to be just a technical bill that would allow electronic communications. During the hearing, there was a minor change, it was a substantive, not major, but minor change. I just think that interested parties, had they known that that we were going to entertain changes in that, might've wanted to be at the hearing and I just think we should be cautious when we do such a thing, when we are positing something as more of a technical change and then allow substantive changes, it can cause a problem with transparency. Thank you, Madam Speaker.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-45)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-45)** and sent for concurrence.

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Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-47)** on Bill "An Act to Support Parents by Providing a Sales Tax Exemption for Diapers"

(H.P. 185) (L.D. 287)

Signed:

Senators:

GROHOSKI of Hancock  
CHIPMAN of Cumberland  
LIBBY of Cumberland

Representatives:

PERRY of Bangor  
MATLACK of St. George  
RANA of Bangor

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

Signed:

Representatives:

CARMICHAEL of Greenbush  
LAVIGNE of Berwick  
QUINT of Hodgdon

**READ.**

On motion of Representative MATLACK of St. George, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act to Establish a Sales Tax Holiday Weekend" (EMERGENCY)

(H.P. 477) (L.D. 708)

Signed:

Senators:

GROHOSKI of Hancock  
CHIPMAN of Cumberland  
LIBBY of Cumberland

Representatives:

PERRY of Bangor  
CROCKETT of Portland  
HASENFUS of Readfield  
MATLACK of St. George  
RANA of Bangor

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-46)** on same Bill.

Signed:

Representatives:

CARMICHAEL of Greenbush  
QUINT of Hodgdon  
RUDNICKI of Fairfield

**READ.**

Representative MATLACK of St. George moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

Representative **MORRIS**: Thank you, Madam Speaker. I rise in opposition to the pending motion. This bill creates a sales tax holiday weekend. I think as we see the record inflation that is taking place, this is something that can help Maine people by helping them to save a little bit of money, especially at a time if it's done during a season when they are shopping for Christmas presents or back-to-school supplies. This also helps those small businesses that are still dealing with the residual effects of the COVID-19 pandemic from a couple of years ago. And it should also be noted that I know in my family it's a tradition and I'm sure in many families in this Chamber it's a tradition to take some time and go to New Hampshire for a day to do the shopping because in New Hampshire, there is no sales tax. So, many Maine people already are enjoying a sales tax holiday, they're just not benefitting Maine businesses. So, this is an opportunity for us to do this and benefit Maine businesses as well and I would urge

this Body to reject the pending motion so that we can pass this bill. Thank you.

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

**ROLL CALL NO. 35**

**YEA** - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kuhn, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Perry A, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

**NAY** - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Costain, Cray, Cyrway, Davis, Ducharme, Faulkingham, Foster, Gifford, Greenwood, Griffin, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Landry, Lavigne, Lemelin, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Schmersal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, White J, Wood, Woodsome.

**ABSENT** - Collamore, Drinkwater, Dunphy, Eaton, Fredericks, Galletta, Hall, Kessler, Lajoie, Lanigan, Libby, Paulhus, Perry J, Sampson, Shaw, Walker.

Yes, 76; No, 58; Absent, 16; Vacant, 1; Excused, 0.

76 having voted in the affirmative and 58 voted in the negative, 1 vacancy with 16 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Seven Members of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** report in Report "A" **Ought Not to Pass** on Bill "An Act to Remove the 5 Cent Fee for Bags in Retail Stores" (EMERGENCY)

(H.P. 367) (L.D. 572)

Signed:

Senators:

BRENNER of Cumberland  
CARNEY of Cumberland

Representatives:

GRAMLICH of Old Orchard Beach  
BELL of Yarmouth  
BRIDGEO of Augusta  
DOUDERA of Camden  
HOBBS of Wells

Five Members of the same Committee report in Report "B" **Ought to Pass** on same Bill.

Signed:

Senator:

LYFORD of Penobscot

Representatives:

CAMPBELL of Orrington  
SCHMERSAL-BURGESS of Mexico  
SOBOLESKI of Phillips  
WOODSOME of Waterboro

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "A" (H-44)** on same Bill.

Signed:

Representative:

O'NEIL of Saco

**READ.**

Representative GRAMLICH of Old Orchard Beach moved that the House **ACCEPT** Report "A" **Ought Not to Pass**.

Representative LEMELIN of Chelsea **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought Not to Pass**.

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

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

Representative **LEMELIN**: Thank you, Madam Speaker. Originally, a five-cent bag fee was implemented to protect our environment and to push individuals towards using reusable bags. This failed and was found to be imprudent and dangerous. A five-cent bag fee does not get people to bring their own bags. It forces workers to break the law by giving bags away to the poor and forces stores to retrieve more carts and baskets from their parking lots. The poor and the elderly are being trampled upon by this request. Grocery stores are not in favor of the five-cent fee. You will hear that the Grocery Association spoke in favor. However, they did not have the support of the stores. I know this because I asked. What I would like my friends to think about is what our job is as legislators. When we pass a bill like the five-cent bag fee to get people to use reusable bags, we need to remember to review our actions and remember that it is okay to say we may have been wrong. At first, we thought the five-cent fee would promote reusable bags; it failed; and that this was a great idea. However, new facts have surfaced. Let us review these facts.

First, it's not about laziness and oh, gee, I forgot my bag. It is about sanitation, safety and a complete inconvenience to most Mainers. A study by the University of Arizona found that 51% of all reusable bags contain coliform bacteria and 12% contain e. coli, indicating the presence of fecal matter and other pathogens. This same study found that 97% of individuals admitted that they never washed their reusable bags. What everybody has to remember here is that when you drive your Subaru to the grocery store and you put those bags in the back and Fluffy is in the car with you, Fluffy sits on those bags. When Fluffy sits on those bags, sorry, but Fluffy's fanny is not clean and that produces e. coli. Harmful bacteria can thrive. The same study from the University of Arizona says that harmful bacteria can thrive in reusable bags unless the user cleans them properly after each use with soapy water that is at least 140 degrees. Fact two, a Canadian study found bacteria buildup on reusable bags was 300% higher than what was considered safe and that storing these reusable bags in a hot car causes the bacteria to grow ten times faster. A study published by the New England Journal of Medicine found that COVID-19 can live up to three days on polypropylene, which is the material used in almost all reusable bags. A study done in the Journal of Environmental Health concluded that reusable bags are very effective in transmitting infectious viruses from private homes to supermarket grocery carts and checkout stands.

So, Madam Speaker, when you go to the grocery store and you use these reusable bags and you're forced to pay five cents and then you go home or your child is working at that grocery store and they come home and soon thereafter, they have an upset stomach or diarrhea and you don't know why; it's because

of reusable grocery bags. As far back as 2010, several Oregon teens and adults felt ill after attending a soccer tournament. Scientists traced the sickness to reusable grocery bags. And, Madam Speaker, a lot of my friends like to follow California. California researchers studying the potential of reusable bags to transmit infectious diseases found that a contaminated reusable bag would cross-contaminate any surface it came in contact with, putting nine out of 10 people who go out to that grocery store at risk of infection from shopping bags. Keep in mind, Madam Speaker, that facts can never be outdated. Somebody said that in testimony that facts can be outdated. Well, actually, they can't. The fact that I live today in Chelsea in 20 million years from now, it will still be a fact that today, I live in Chelsea.

To conclude, Madam Speaker, our Chief Executive during COVID stopped the use of reusable bags and I wonder if she has a magic wand that says all of a sudden, ma'am, that these reusable bags at a certain point in time aren't dangerous anymore. Those viruses, the bacteria, the e. coli, it's still there. So, the last thing we want is this five-cent bag fee that forces reusable bags. Not to mention the people of Maine don't want to pay the fee. So, I'm asking my friends to reconsider this and to please follow my light and remove the five-cent bag fee, for safety's sake. Thank you very much.

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

Representative **UNDERWOOD**: Thank you very much, Madam Speaker. I rise to ask the colleagues on the opposite side, would you go to your local grocery store and ask the manager of that store one question and that question basically is how is it working with this five-cent bag and wait for their response because I'm sure it's going to come. Thank you, Madam Speaker.

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

Representative **THORNE**: Thank you, Madam Speaker. While we're providing facts, I had a short fact from CNN that stated that you need to use a reusable cotton bag more than 7,000 times to make it more environmentally friendly than a plastic bag. Thank you.

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

**ROLL CALL NO. 36**

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Perry A, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Sheehan, Skold, Stover, Supica, Terry, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Costain, Cray, Cyrway, Davis, Ducharme, Faulkingham, Foster, Gifford, Greenwood, Griffin, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lavigne, Lemelin, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Schmersal-Burgess, Smith, Soboleski, Strout,

Swallow, Theriault, Thorne, Underwood, Warren, White J, Wood, Woodsome.

ABSENT - Collamore, Drinkwater, Dunphy, Eaton, Fredericks, Galletta, Hall, Kessler, Lajoie, Lanigan, Libby, Paulhus, Perry J, Sampson, Shaw, Walker.

Yes, 76; No, 58; Absent, 16; Vacant, 1; Excused, 0.  
76 having voted in the affirmative and 58 voted in the negative, 1 vacancy with 16 being absent, and accordingly Report "A" **Ought Not to Pass** was **ACCEPTED** and sent for concurrence.

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

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

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

(S.P. 227) (L.D. 510) Bill "An Act to Protect the Public Health by Allowing the Appointment of Associate Health Officers" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(S.P. 222) (L.D. 505) Bill "An Act to Update Reimbursement Rates for Transportation of Deceased Persons by Funeral Homes" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-22)**

(H.P. 377) (L.D. 600) Bill "An Act to Expand Availability of Naloxone Hydrochloride" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 105) (L.D. 164) Bill "An Act to Fund the Lake Restoration and Protection Fund" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-41)**

(H.P. 174) (L.D. 276) Bill "An Act to Assist Municipalities in Preventing Damage from Storm Water" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-43)**

(H.P. 358) (L.D. 553) Bill "An Act to Require Mortgage Holders to Notify a Homeowner's Insurance Company on the Sale or Transfer of a Mortgage" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-37)**

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

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

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**ENACTORS**  
**Emergency Measure**

An Act to Simplify the Sale of Food Requirement for Certain Licenses for the Sale of Liquor to Be Consumed on the Licensed Premises

(H.P. 87) (L.D. 141)  
(C. "A" H-29)

Was 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. 106 voted in favor of the same and 10 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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**Acts**

An Act to Establish Processing Time Limits for Permit by Rule Applications Under the Site Location of Development Laws

(H.P. 13) (L.D. 9)  
(C. "A" H-30)

An Act to Include an Expanded Archery Permit in the Super Pack License Issued by the Department of Inland Fisheries and Wildlife

(S.P. 93) (L.D. 189)  
(C. "A" S-21)

An Act to Promote Public Safety and Retain Essential First Responders by Funding the Maine Length of Service Award Program

(S.P. 256) (L.D. 588)

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

**UNFINISHED BUSINESS**

The following matters, in the consideration of which the House was engaged at the time of adjournment Tuesday, April 18, 2023, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Resolve, to Create the Commission to Study the Operations of the Maine Legislature (EMERGENCY)

(S.P. 436) (L.D. 1067)

- In Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

- **CARRIED OVER** to any special or regular session, of the 131st Legislature, pursuant to Joint Order S.P. 594 on March 30, 2023. **TABLED** - March 7, 2023 (Till Later Today) by Representative TERRY of Gorham.

**PENDING - REFERENCE IN CONCURRENCE.**

Subsequently, the Resolve was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

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Bill "An Act to Prohibit Campaign Spending by Foreign Governments and Promote an Anticorruption Amendment to the United States Constitution"

(I.B. 1) (L.D. 1610)

TABLED - April 11, 2023 (Till Later Today) by Representative SUPICA of Bangor.

PENDING - **FURTHER ACTION.**

On motion of Representative SUPICA of Bangor, the Bill was **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS**, ordered printed and sent for concurrence.

Bill "An Act to Create the Pine Tree Power Company, a Nonprofit, Customer-owned Utility"

(I.B. 2) (L.D. 1611)

TABLED - April 11, 2023 (Till Later Today) by Representative ZEIGLER of Montville.

PENDING - **FURTHER ACTION.**

On motion of Representative ZEIGLER of Montville, the Bill was **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**, ordered printed and sent for concurrence.

Communication Secretary of State - Please find enclosed a certified copy of each of the four proclamations referring the initiative petitions certified by the Secretary of State to the electors at the statewide election to be held on November 7, 2023.

The initiatives to be voted on include: "An Act To Require Voter Approval of Certain Borrowing by Government-controlled Entities and Utilities and To Provide Voters More Information Regarding that Borrowing", "An Act Regarding Automotive Right to Repair", "An Act To Prohibit Campaign Spending by Foreign Governments and Promote an Anticorruption Amendment to the United States Constitution" and "An Act To Create the Pine Tree Power Company, a Nonprofit, Customer-owned Utility"

(H.C. 130)

TABLED - April 13, 2023 (Till Later Today) by Representative TERRY of Gorham.

PENDING - **PLACEMENT ON FILE.**

Subsequently, the Communication with accompanying papers was ordered **PLACED ON FILE.**

Bill "An Act Regarding Automotive Right to Repair"

(I.B. 3) (L.D. 1677)

TABLED - April 18, 2023 (Till Later Today) by Representative TERRY of Gorham.

PENDING - **FURTHER ACTION.**

On motion of Representative ROBERTS of South Berwick, the Bill was **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS**, ordered printed and sent for concurrence.

#### SENATE PAPERS

Bill "An Act to Enact the Beneficial Electrification Policy Act"

(S.P. 688) (L.D. 1724)

Bill "An Act to Protect Northern Maine Standard-offer Ratepayers"

(S.P. 691) (L.D. 1727)

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

**REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in concurrence.

Bill "An Act to Prevent the Automatic Transfer of Permits and Contracts in a Sale of Assets of a Water Export Company Without Review and to Amend the Membership of the Water Resources Planning Committee and the Maine Public Drinking Water Commission"

(S.P. 687) (L.D. 1723)

Came from the Senate, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

**REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** in concurrence.

Bill "An Act to Build Maine's Economy by Supporting Child Care for Working Families"

(S.P. 690) (L.D. 1726)

Bill "An Act to Reduce Child Care Provider Regulation"

(S.P. 693) (L.D. 1729)

Bill "An Act to Maximize Federal Funding in Support of Emergency Medical Services"

(S.P. 696) (L.D. 1751)

Bill "An Act to Establish an Independent Adjudicatory Process Regarding the Department of Health and Human Services"

(S.P. 699) (L.D. 1753)

Resolve, to Establish the Commission to Study the Delivery of Services to Children and Families (EMERGENCY)

(S.P. 700) (L.D. 1754)

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

**REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

Bill "An Act to Ensure Access to Federally Approved Opioid Overdose-reversing Medication"

(S.P. 692) (L.D. 1728)

Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

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

**REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

Bill "An Act to Establish the Physical Therapy Licensure Compact"

(S.P. 694) (L.D. 1749)

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

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

Bill "An Act to Protect Employee Freedom of Speech"  
(S.P. 702) (L.D. 1756)

Came from the Senate, **REFERRED** to the Committee on **LABOR AND HOUSING** and ordered printed.

**REFERRED** to the Committee on **LABOR AND HOUSING** in concurrence.

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Bill "An Act to Strengthen Legislative Oversight of Government Agencies and Programs by Providing the Government Oversight Committee Access to Confidential Records" (EMERGENCY)

(S.P. 689) (L.D. 1725)

Bill "An Act to Require a Municipality to Pay a Homeless Shelter on a Per Capita Basis for Persons Released or Delivered by the Municipality to the Shelter"

(S.P. 704) (L.D. 1758)

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

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

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Bill "An Act to Exempt All Youth Development Nonprofit Organizations from Sales Tax and the Service Provider Tax"

(S.P. 701) (L.D. 1755)

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

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

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Resolve, Directing the Department of Transportation to Complete a Service Plan and Determine the Scope of Work for Restoration of Rail Use of the Berlin Subdivision Rail Corridor from Downtown Portland to Auburn

(S.P. 695) (L.D. 1750)

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

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

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Bill "An Act to Amend the Laws Governing the Reporting and Tracking of Adult Use Cannabis"

(S.P. 703) (L.D. 1757)

Came from the Senate, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

**REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** in concurrence.

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Resolve, to Prepare Preapproved Building Types

(S.P. 697) (L.D. 1752)

Came from the Senate, **REFERRED** to the Joint Select Committee on **HOUSING** and ordered printed.

**REFERRED** to the Joint Select Committee on **HOUSING** in concurrence.

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The following Joint Order: (S.P. 698)

**ORDERED**, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, April 25, 2023, at 10:00 in the morning, or until the call of the President of the Senate and the Speaker of the House, respectively.

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

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The **SPEAKER**: The Chair recognizes the Representative from Poland, Representative Boyer.

Representative **BOYER**: Thank you, Madam Speaker. Madam Speaker, I request unanimous consent to address the House on the record.

The **SPEAKER**: The Representative has requested unanimous consent to address the House on the record. Hearing no objection, the Representative may proceed on the record.

Representative **BOYER**: Thank you, Madam Speaker, I rise to bring up a special holiday. People keep reminding me it's 4/20 today. I'm not sure why me; but kidding aside, this is Maine's fastest-growing agricultural crop and it means a lot to the local economy and cottage industry for our State. We had some good giggles about it in VLA yesterday but I just wanted to reflect a little bit on the fact that it has been illegal, that there are families that have been destroyed because of incarceration of people for a plant, for nonviolent, victimless crimes. That still today in this country, tens of thousands of Americans are rotting in jail for simple possession. We righted this wrong a long time ago in the '70s here in Maine and continue to with medical and then adult use in 2016, but for people in other states, they're not as fortunate and it's not the way life should be there. And we know that, you know, cannabis is safer than alcohol so, you know, it should be on the same level, at least, as far as whether it's legal or not. So, you know, we know here, even in Maine, people of color are more likely to be arrested even though usage is the same and it goes across the country that that statistic holds up. So, it is a fun holiday and I know some of you guys will be celebrating and that's okay. But I did want to recognize a few Maine activists that at least I and some others stand on their shoulders, folks like Donny Christian who would celebrate Patriots Day at the courthouse in Somerset year after year with some civil disobedience. Folks like Carrie Brown, Dave Wilkinson and more recently, Dawson Julia. So, I just wanted to rise and give a shout out to the holiday and some of those folks and remind folks that there's more work to be done on this issue, thank you.

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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 SALISBURY of Westbrook, the House adjourned at 12:49 p.m., until 10:00 a.m., Tuesday, April 25, 2023, or until the call of the Speaker of the House and the President of the Senate, respectively, pursuant to the Joint Order (S.P. 698) and in honor and lasting tribute to Alexander Joseph Juniewicz, Jr. of Westbrook and the Honorable Henry Joy of Island Falls.