

MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE
FIRST SPECIAL SESSION
8th Legislative Day
Tuesday, April 25, 2023

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

Prayer by Reverend Marty Pelham, First Universalist Church in Rockland.

National Anthem by Westbrook High School Singers.

Pledge of Allegiance.

The Journal of Thursday, April 20, 2023 was read and approved.

SENATE PAPERS

Non-Concurrent Matter

Resolve, Directing the Department of Labor to Request a Federal Waiver to Allow Presumptive Work Eligibility for Asylum Seekers (EMERGENCY)

(S.P. 419) (L.D. 1050)

FAILED OF FINAL PASSAGE in the House on April 18, 2023. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-18)**)

Came from the Senate **PASSED TO BE ENGROSSED in NON-CONCURRENCE.**

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

COMMUNICATIONS

The Following Communication: (H.P. 1151)

**STATE OF MAINE
DEPARTMENT OF THE
SECRETARY OF STATE
AUGUSTA, MAINE 04333-0148**

March 21, 2023

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk Hunt:

Enclosed please find my official certification to the 131st Legislature of the citizen initiative petition entitled "An Act To Require Voter Approval of Certain Borrowing by Government-controlled Entities and Utilities and To Provide Voters More Information Regarding that Borrowing".

Sincerely,

S/Shenna Bellows

Secretary of State

**STATE OF MAINE
SECRETARY OF STATE**

I, Shenna Bellows, Secretary of State, hereby certify that written petitions bearing valid signatures of 68,807 electors of this State were addressed to the Legislature of the State of Maine and were filed in the office of the Secretary of State on December 27, 2022, requesting that the Legislature consider an act entitled, "An Act To Require Voter Approval of Certain Borrowing by Government-controlled Entities and Utilities and To Provide Voters More Information Regarding that Borrowing".

I further certify that the number of signatures submitted is in excess of ten percent of the total votes cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 18 of the Constitution of Maine, that number being 67,682.

I further certify this initiative petition to be valid and attach herewith the text of the legislation circulated on the petition's behalf.

In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta on the Twenty-first day of March in the year Two Thousand and Twenty-three.

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

Sent for concurrence.

On motion of Representative STOVER of Boothbay, the accompanying Bill "An Act to Require Voter Approval of Certain Borrowing by Government-controlled Entities and Utilities and to Provide Voters More Information Regarding That Borrowing"

(I.B. 4) (L.D. 1772)

Was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**, ordered printed and sent for concurrence.

The Following Communication: (H.C. 136)

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

April 18, 2023

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk Hunt,

Pursuant to my authority under Title 38, MRSA, Ch. 3-A, §577-A, I am pleased to appoint the following to the Maine Climate Council, effective immediately:

Honorable Christopher Kessler of South Portland;

Honorable Nathan Carlow of Buxton.

Representative Kessler and Representative Carlow will serve on this council as members of the House of Representatives who are each a member of one of the two parties holding the most seats.

Should you have questions regarding these appointments, please do not hesitate to contact my office.

Sincerely,

S/Rachel Talbot Ross

Speaker of the House

READ and **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 137)

**SENATE OF MAINE
131ST LEGISLATURE
OFFICE OF THE PRESIDENT**

April 18, 2023

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

Dear Clerk Hunt:

Pursuant to my authority under Title 38, MRSA, Ch. 3-A, §577-A, I am pleased to appoint Senator Matthew Harrington to the Maine Climate Council, representing the party holding the second largest number of seats in the Senate. This appointment is effective the date of this letter.

If you have any questions regarding this appointment, please let me know.

Sincerely,
S/Troy D. Jackson

President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 140)

**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, ME 04333

Dear Clerk Hunt,

Pursuant to my authority under Title 38, MRSA, Ch. 3-A, §577-A, I am pleased to appoint Representatives Walter Runte of York and Reagan Paul of Winterport to the Energy Working Group of the Maine Climate Council, effective immediately.

If you have any questions regarding these appointments, please do not hesitate to contact my office.

Sincerely,
S/Rachel Talbot Ross

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 141)

**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, ME 04333

Dear Clerk Hunt,

Pursuant to my authority under Title 38, MRSA, Ch. 3-A, §577-A, I am pleased to appoint Representative Margaret Craven of Lewiston and Representative Amanda Collamore of Pittsfield to the Community Resilience Planning Working Group of the Maine Climate Council, effective immediately.

If you have any questions, please do not hesitate to contact my office.

Sincerely,
S/Rachel Talbot Ross
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 142)

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

April 18, 2023

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

Dear Clerk Hunt,

Pursuant to my authority under Title 38, MRSA, Ch. 3-A, §577-A, I am pleased to reappoint Representative Victoria Doudera of Camden to the Scientific and Technical Subcommittee of the Maine Climate Council, effective immediately.

Furthermore, I am pleased to appoint Representative Mark Babin of Fort Fairfield to the Scientific and Technical Subcommittee of the Maine Climate Council, effective immediately.

If you have any questions regarding these appointments, please do not hesitate to contact my office.

Sincerely,
S/Rachel Talbot Ross

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 143)

**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, ME 04333

Dear Clerk Hunt,

Pursuant to my authority under Title 38, MRSA, Ch. 3-A, §577-A, I am pleased to appoint Representative Grayson Lookner of Portland and reappoint Representative Richard Bradstreet of Vassalboro to the *Building, Infrastructure and Housing Working Group of the Maine Climate Council*, effective immediately.

If you have any questions regarding these appointments, please do not hesitate to contact my office.

Sincerely,
S/Rachel Talbot Ross

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 144)

**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, ME 04333
Dear Clerk Hunt,

Pursuant to my authority under Title 38, MRSA, Ch. 3-A, §577-A, I am pleased to appoint Representative Daniel Ankeles of Brunswick and Representative Wayne Parry of Arundel to the Transportation Working Group of the Maine Climate Council, effective immediately.

Should you have any questions, please do not hesitate to contact my office.

Sincerely,
S/Rachel Talbot Ross
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 145)

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

April 19, 2023
Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, ME 04333
Dear Clerk Hunt,

Pursuant to my authority under Title 38, MRSA, Ch. 3-A, §577-A, I am pleased to appoint the following to the Coastal and Marine Working Group of the Maine Climate Council, effective immediately;

Representative Lydia Crafts of Newcastle – reappointment;
Representative Tiffany Strout of Harrington.

If you have any questions regarding these appointments, please do not hesitate to contact my office.

Sincerely,
S/Rachel Talbot Ross
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 146)

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

April 21, 2023
Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, ME 04333
Dear Clerk Hunt,

Pursuant to my authority under Title 20, Ch. 5, Part 679, Subpart A, §679.110 (b)(2) of federal law, I am pleased to appoint the Honorable Amy Roeder of Bangor to the State Workforce Development Board, effective immediately.

Should you have any questions regarding this appointment, please do not hesitate to contact my office.

Sincerely,
S/Rachel Talbot Ross
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 138)

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

April 25, 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:"

Environment and Natural Resources

L.D. 1126 Resolve, to Increase Community Action Grants
Health and Human Services

L.D. 378 Resolve, to Eliminate the So-called Fail First Requirement for Children's Residential Services for Certain Individuals Whose Needs Are Unable to Be Met with Home and Community-based Services by Expanding Eligibility for Those Individuals

L.D. 824 Resolve, Directing the Department of Health and Human Services to Review Reimbursement Rates for Nursing Facilities on Islands

Health Coverage, Insurance and Financial Services

L.D. 1262 An Act to Amend the Law Governing the Credit Card and Debit Card Surcharge Prohibition

L.D. 1354 An Act to Protect Medicare Beneficiaries from Surprise Bills and to Inform Medicare Beneficiaries About Medicare Part B Excess Charges

L.D. 1497 An Act to Strengthen Medicare by Preventing Providers from Adding Excess Charges (EMERGENCY)

Housing

L.D. 1310 An Act to Establish a State Emergency Rental Assistance Program (EMERGENCY)

Judiciary

L.D. 888 An Act to Allow Use of Courthouse Facility Dogs by Criminal Justice Agencies for Criminal Justice Purposes

L.D. 1079 An Act Regarding Visitation Rights of Grandparents

L.D. 1192 An Act Regarding the Composition of the Judiciary

L.D. 1462 An Act to Provide Financial Incentives for Attorneys to Provide Indigent Legal Services

State and Local Government

L.D. 655 An Act to Address Climate Change by Reducing Carbon Emissions from State Vehicles

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

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 139)

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

April 25, 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 Committee on Environment and Natural Resources has approved the request by the sponsor, Representative Campbell of Orrington, to report the following "Leave to Withdraw:"

L.D. 169 An Act to Amend and Clarify the Laws Governing Perfluoroalkyl and Polyfluoroalkyl Substances and Other Harmful Chemicals

Pursuant to Joint Rule 310, the Committee on Environment and Natural Resources has approved the request by the sponsor, Representative Campbell of Orrington, to report the following "Leave to Withdraw: "

L.D. 171 An Act to Provide That All Rules Regarding Perfluoroalkyl and Polyfluoroalkyl Substances Are Major Substantive Rules

Pursuant to Joint Rule 310, the Committee on Health and Human Services has approved the request by the sponsor, Representative Madigan of Waterville, to report the following "Leave to Withdraw:"

L.D. 302 An Act to Ensure Sufficient Rates for Behavioral Health Services

Pursuant to Joint Rule 310, the Committee on Labor and Housing has approved the request by the sponsor, Representative Roeder of Bangor, to report the following "Leave to Withdraw:"

L.D. 349 An Act to Support Farm Workers and Farmers by Addressing Unionization of Farm Workers

Pursuant to Joint Rule 310, the Joint Select Committee on Housing has approved the request by the sponsor, Representative Ankeles of Brunswick, to report the following "Leave to Withdraw:"

L.D. 107 An Act Regarding Municipal Efforts to Avert Evictions and Heating Shut-offs During Winter (EMERGENCY)

Sincerely,

S/Robert B. Hunt
Clerk of the House

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

The Following Communication: (S.C. 349)

**MAINE SENATE
131st LEGISLATURE**

April 20, 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 James F. Martemucci of Arundel for appointment, as a Superior Court Justice,
- The Honorable Harold L. Stewart, II of Portland for reappointment as a Superior Court Justice.

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 Develop and Provide Technical Assistance for Meat Slaughtering and Processing"

(H.P. 1131) (L.D. 1767)

Sponsored by Representative CLUCHEY of Bowdoinham.
Cosponsored by Representatives: ABDI of Lewiston, DHALAC of South Portland, HALL of Wilton, JAUCH of Topsham, PLUECKER of Warren, RANA of Bangor.

Bill "An Act to Improve Pesticides Sales and Use Data Collection and Accessibility by the State"

(H.P. 1134) (L.D. 1770)

Sponsored by Representative OSHER of Orono.
Cosponsored by Representatives: HOBBS of Wells, JACKSON of Oxford, JAUCH of Topsham, O'NEIL of Saco, SHAW of Auburn, Senator: INGWERSEN of York.

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested and ordered printed.

REFERRED to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** and ordered printed.

Sent for concurrence.

Bill "An Act to Provide a Source of Funding for the Construction and Implementation of a Food Security Hub" (EMERGENCY)

(H.P. 1157) (L.D. 1812)

Sponsored by Representative TERRY of Gorham.

Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested.

On motion of Representative PLUECKER of Warren, **TABLED** pending **REFERENCE** and later today assigned.

Bill "An Act to Develop a Continuum of Care for Youth Involved in the Justice System and to Develop Alternatives for Juveniles Incarcerated in Long Creek Youth Development Center"

(H.P. 1142) (L.D. 1779)

Sponsored by Representative LOOKNER of Portland.
Cosponsored by Senator BEEBE-CENTER of Knox and Representatives: ABDI of Lewiston, BOYER of Poland, CRAFTS of Newcastle, DHALAC of South Portland, GRAMLICH of Old Orchard Beach, HASENFUS of Readfield, MILLIKEN of Blue Hill, Speaker TALBOT ROSS of Portland.

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.

Bill "An Act Concerning Students Who Experience Educational Disruption Due to Temporary or Permanent Changes Where They Live"

(H.P. 1133) (L.D. 1769)

Sponsored by Representative ROBERTS of South Berwick.
Cosponsored by Senator RAFFERTY of York and Representatives: BRENNAN of Portland, DODGE of Belfast, MURPHY of Scarborough, SARGENT of York.

Bill "An Act to Increase the State's Share of the Cost of Health Insurance for Retired Teachers" (EMERGENCY)

(H.P. 1136) (L.D. 1773)

Sponsored by Representative COLLINGS of Portland.
Cosponsored by Representative: FAULKINGHAM of Winter Harbor.

Bill "An Act to Repeal and Replace the Charter of the Boothbay-Boothbay Harbor Community School District"

(H.P. 1149) (L.D. 1786)

Sponsored by Representative STOVER of Boothbay.

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.

Bill "An Act to Establish a Clean Hydrogen Pilot Program"

(H.P. 1138) (L.D. 1775)

Sponsored by Representative DOUDERA of Camden.
Cosponsored by Senator LAWRENCE of York and Representatives: BOYLE of Gorham, GEIGER of Rockland, RUNTE of York, WOODSOME of Waterboro, Senators: BRENNER of Cumberland, FARRIN of Somerset, HARRINGTON of York.

Bill "An Act to Ensure a Sustainable Electric Grid"

(H.P. 1141) (L.D. 1778)

Sponsored by Representative PERKINS of Dover-Foxcroft.
Cosponsored by Senator HARRINGTON of York and Representatives: ALBERT of Madawaska, BABIN of Fort Fairfield, CAMPBELL of Orrington, FOSTER of Dexter, HENDERSON of Rumford, PAUL of Winterport.

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

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

Sent for concurrence.

Resolve, Directing the Department of Agriculture, Conservation and Forestry to Convene a Stakeholder Group Tasked with a Comprehensive Overhaul and Modernization of the State Subdivision Statutes

(H.P. 1150) (L.D. 1787)

Sponsored by Representative DUCHARME of Madison.
Cosponsored by Senator BLACK of Franklin and Representatives: CARMICHAEL of Greenbush, COSTAIN of Plymouth, CRAY of Palmyra, GUERRETTE of Caribou, HALL of Wilton, JACKSON of Oxford, MILLETT of Waterford, THERIAULT of Fort Kent.

Committee on **ENVIRONMENT AND NATURAL RESOURCES** suggested.

On motion of Speaker TALBOT ROSS of Portland, the Resolve was **REFERRED** to the Joint Select Committee on **HOUSING**, ordered printed and sent for concurrence.

Bill "An Act to Update the Alternative Base Year Payment Method for Federally Qualified Health Centers" (EMERGENCY)

(H.P. 1132) (L.D. 1768)

Sponsored by Representative GATTINE of Westbrook.
Cosponsored by Representatives: DUCHARME of Madison, PERRY of Calais, PRINGLE of Windham.

Bill "An Act to Establish the Homeless Substance Use Disorder Service Program" (EMERGENCY)

(H.P. 1144) (L.D. 1781)

Sponsored by Representative GATTINE of Westbrook.

Resolve, to Improve Access to Appropriate Levels of Long-term Care by Rebasng and Increasing Reimbursement Rates (EMERGENCY)

(H.P. 1147) (L.D. 1784)

Sponsored by Speaker TALBOT ROSS of Portland.

Cosponsored by Senator BAILEY of York and Representatives: ARFORD of Brunswick, MASTRACCIO of Sanford, NUTTING of Oakland, PRINGLE of Windham.

Resolve, to Establish the Blue Ribbon Commission to Make Recommendations to Update Laws Governing the Continuum of Long-term Care Options (EMERGENCY)

(H.P. 1148) (L.D. 1785)

Sponsored by Speaker TALBOT ROSS of Portland.

Cosponsored by Senator BAILEY of York and Representatives: ARFORD of Brunswick, MASTRACCIO of Sanford, NUTTING of Oakland, PRINGLE of Windham.

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 Require Insurance Carriers to Compensate Providers for Costs of Providing Medical Records for Utilization Review"

(H.P. 1130) (L.D. 1766)

Sponsored by Representative MASTRACCIO of Sanford.

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.

Bill "An Act Regarding Speedy Trials"

(H.P. 1135) (L.D. 1771)

Sponsored by Representative MOONEN of Portland.

Cosponsored by Senator CARNEY of Cumberland and Representatives: HAGGAN of Hampden, KUHN of Falmouth, LEE of Auburn, POIRIER of Skowhegan, SHEEHAN of Biddeford, Senator: BRAKEY of Androscoggin.

Bill "An Act to Empower Jurors by Allowing Instructions That They May Find a Defendant Not Guilty if a Guilty Verdict Would Yield an Unjust Result"

(H.P. 1145) (L.D. 1782)

Sponsored by Representative BOYER of Poland.

Cosponsored by Senator GROHOSKI of Hancock and Representatives: FAULKINGHAM of Winter Harbor, MILLIKEN of Blue Hill, RISEMAN of Harrison, ROEDER of Bangor, THERIAULT of Fort Kent, WARREN of Scarborough, WHITE of Guilford, Senator: HICKMAN of Kennebec.

Bill "An Act to Prohibit Health Care Services Without Parental Consent"

(H.P. 1154) (L.D. 1809)

Sponsored by Representative ADAMS of Lebanon.
Cosponsored by Representatives: GREENWOOD of Wales,
POMERLEAU of Standish.

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

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

Sent for concurrence.

Bill "An Act to Allow Citizen Oversight of Department of Environmental Protection and Department of Marine Resources Actions and Rulemaking"

(H.P. 1139) (L.D. 1776)

Sponsored by Representative WORTH of Ellsworth.
Cosponsored by Representatives: DHALAC of South Portland,
HOBBS of Wells, MILLIKEN of Blue Hill, MURPHY of
Scarborough, SARGENT of York.

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

On motion of Speaker TALBOT ROSS of Portland, the Bill was **REFERRED** to the Committee on **MARINE RESOURCES**, ordered printed and sent for concurrence.

Bill "An Act Exempting Certain Emergency Distributions and Emergency Savings Accounts from Taxation"

(H.P. 1137) (L.D. 1774)

Sponsored by Representative ARATA of New Gloucester.
Cosponsored by Senator KEIM of Oxford and Representatives:
BRADSTREET of Vassalboro, CARLOW of Buxton, COLLINGS
of Portland, FAULKINGHAM of Winter Harbor, LAVIGNE of
Berwick, MORRIS of Turner, QUINT of Hodgdon, Senator:
STEWART of Aroostook.

Bill "An Act to Amend the State Tax Laws" (EMERGENCY)
(H.P. 1153) (L.D. 1808)

Sponsored by Representative PERRY of Bangor.
Submitted by the Department of Administrative and Financial
Services pursuant to Joint Rule 204.

Bill "An Act to Expand the Maine Historic Rehabilitation Credit and Establish a Weatherization Tax Credit"

(H.P. 1155) (L.D. 1810)

Sponsored by Representative TERRY of Gorham.
Cosponsored by Representatives: MALON of Biddeford, O'NEIL
of Saco, SCHMERSAL-BURGESS of Mexico, SHEEHAN of
Biddeford, Speaker TALBOT ROSS of Portland.

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

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

Sent for concurrence.

Bill "An Act to Regulate the Operation of Micromobility Devices on Public Ways"

(H.P. 1143) (L.D. 1780)

Sponsored by Representative SACHS of Freeport.
Cosponsored by Senator CHIPMAN of Cumberland and
Representatives: ANKELES of Brunswick, ARFORD of
Brunswick, BELL of Yarmouth, O'CONNELL of Brewer,
WILLIAMS of Bar Harbor, ZEIGLER of Montville.

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

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

Sent for concurrence.

Bill "An Act Authorizing the Governor to Enter into Interstate Agreements Regarding the Cannabis Industry"

(H.P. 1129) (L.D. 1765)

Sponsored by Representative PERRY of Bangor.

Bill "An Act to Create Economic Opportunity for Wabanaki Nations Through Internet Gaming"

(H.P. 1140) (L.D. 1777)

Sponsored by Representative SUPICA of Bangor.

Cosponsored by Senator HICKMAN of Kennebec and
Representatives: RANA of Bangor, ROEDER of Bangor,
Speaker TALBOT ROSS of Portland, Senator: President
JACKSON of Aroostook.

Bill "An Act to Implement the Recommendations of the Governor's Advisory Council on Military Sexual Trauma"

(H.P. 1146) (L.D. 1783)

Sponsored by Representative RIELLY of Westbrook.

Cosponsored by Senator HICKMAN of Kennebec and
Representatives: BOYER of Poland, JAUCH of Topsham,
MALON of Biddeford, MILLIKEN of Blue Hill, MONTELL of
Gardiner, RISEMAN of Harrison, RUDNICKI of Fairfield,
SUPICA of Bangor.

Bill "An Act to Clarify Required Political Committees 24-hour Reports"

(H.P. 1156) (L.D. 1811)

Sponsored by Representative TERRY of Gorham.

Committee on **VETERANS AND LEGAL AFFAIRS** suggested and ordered printed.

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

Sent for concurrence.

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

ORDERS

On motion of Representative SHEEHAN of Biddeford, the following Joint Resolution: (H.P. 1128) (Cosponsored by Representatives: FAY of Raymond, MALON of Biddeford, SKOLD of Portland)

JOINT RESOLUTION HONORING THE LIFE OF JUDITH HEUMANN

WHEREAS, Judith "Judy" Heumann, widely regarded as the mother of the disability rights movement, died in Washington, D.C. on March 4, 2023; and

WHEREAS, Ms. Heumann contracted polio in 1949, when she was 18 months old, and lived her life in a wheelchair; and

WHEREAS, Ms. Heumann's parents refused to institutionalize her, instead fighting discriminatory policies and securing her a place in public school classrooms; and

WHEREAS, as a young woman, Ms. Heumann continued that fight, earning a bachelor of arts degree from Long Island University, and after winning a discrimination suit against the New York Board of Education, becoming the first teacher in the state to use a wheelchair; and

WHEREAS, Ms. Heumann put herself at the forefront of major disability rights demonstrations, advocating for the rights of persons with disabilities, and became an organizer, cofounding the protest group Disabled in Action; and

WHEREAS, Ms. Heumann worked to create support for the federal Rehabilitation Act of 1973 and later was a leader in the effort to force the Carter administration to implement Section 504 of that Act, which specifies that no government agency or private business that accepts federal funds may discriminate against someone on the basis of disability; and

WHEREAS, Section 504 became the model for the federal Americans with Disabilities Act of 1990, and Ms. Heumann was a leader in the effort to pass that legislation; and

WHEREAS, Ms. Heumann founded national and international disability advocacy organizations and served her country as an Assistant Secretary of Education in the Clinton administration, overseeing the nation's federal education programs for students with disabilities; and

WHEREAS, during the Obama administration, Ms. Heumann worked in the State Department, advocating for civil rights across the world, and 181 countries passed disability civil rights modeled after the federal Americans with Disabilities Act of 1990 between 2000 and 2015; and

WHEREAS, she coauthored her memoir, "Being Heumann: An Unrepentant Memoir of a Disability Rights Activist," and its young adult version, "Rolling Warrior: The Incredible, Sometimes Awkward, True Story of a Rebel Girl on Wheels Who Helped Spark a Revolution," and was featured in the Oscar-nominated documentary film "Crip Camp: A Disability Revolution"; now, therefore, be it

RESOLVED: That We, the members of the One Hundred and Thirty-first Legislature now assembled in the First Special Session, take this occasion to recognize the life of Judith Heumann, whose life's work helped to improve the lives of millions of Americans and who led a reimagining of what it means to be disabled in this country and across the world.

READ.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Sheehan.

Representative **SHEEHAN**: Thank you, Madam Speaker. Madam Speaker and dear colleagues, I rise today to share my gratitude for the life and work of Judy Heumann, who died on March 24th after spending her life fighting for the rights of disabled people to participate fully in the lives of their communities and in the advancement of American democracy. In doing so, she helped build a better world for us all. Days after her death, I watched along as her synagogue and friends convened for her memorial services. The words of her rabbis resonated deeply with me. Rabbi Sara Krinsky was transformed by Judy's work, observing that, quote, it is not at all hyperbolic to say that each of us would simply not be the same rabbis we are today without Judy in our lives. What we say in sacred spaces, what we think, what we believe, how we move through the world, how we construct the worlds that we all move through from the pulpit and at home, all of it is influenced by her spirit, her courage and her love.

Although I did not know Judy, her words of encouragement and admonition have shaped the way that I do my work, in my business decisions and here in the State House. But Judy's legacy lives on most powerfully in the work of self-advocates around the country and here in Maine. In remembering the genesis of the Disability Rights Movement in America, Bob Williams remembered how his and Judy's families instilled in them, quote, the sense that the justice we seek will only come about through our own making, our own taking and our own hard work. We grew up during an era of extreme exclusion, segregation and degradation. There was no way around it or to escape all the discriminatory and often hideous harm those times unleashed. But because of our parents, our families and

the civil rights and social justice movements going on around us, we increasingly realized we were not the problem. We were the people who had the drive, the change needed to solve it. Madam Speaker, speaking up for us is a statewide network of self-advocates. Members from Aroostook County all the way down through York have come to the State House today with advocates from Disability Rights Maine to connect with their Representatives. Colleagues, please join me in welcoming them, listening to their visions of the way life should be and working together to fulfill that promise. Thank you.

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

Representative **WILLIAMS**: Thank you, Madam Speaker. I'll be brief. I went to law school because Judy Heumann recommended to me that I go to law school. I was in San Francisco, I was a disability rights activist, I am the mother of a son who is hearing impaired and the daughter of a blind father. And I thought activism was as far as I could go and she said oh, you should go to law school. And I did and I was 48 when I graduated from law school but it's one of the best things that ever happened to me, thanks to Judy Heumann. Thank you.

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Brad Richard, of Princeton, a Game Warden with the Maine Warden Service, who found Kimberly Pushard and Angela Bussell, the subjects of an extensive statewide search, in a remote part of Hancock County over five days after they became lost while driving. He found them alive and in their vehicle near Nicasious Lake in East Hancock. We extend our appreciation and best wishes;

(HLS 260)

Presented by Representative THORNE of Carmel.

Cosponsored by Senator BLACK of Franklin, Senator CURRY of Waldo, Senator GUERIN of Penobscot, Senator KEIM of Oxford, Senator LaFOUNTAIN of Kennebec, Senator LYFORD of Penobscot, Senator MOORE of Washington, Senator POULIOT of Kennebec, Senator STEWART of Aroostook, Representative ARATA of New Gloucester, Representative BABIN of Fort Fairfield, Representative BLIER of Buxton, Representative CAMPBELL of Orrington, Representative CARMICHAEL of Greenbush, Representative CLUCHEY of Bowdoinham, Representative CYRWAY of Albion, Representative DAVIS of East Machias, Representative DILL of Old Town, Representative DRINKWATER of Milford, Representative DUCHARME of Madison, Representative FAULKINGHAM of Winter Harbor, Representative FOSTER of Dexter, Representative GOLEK of Harpswell, Representative GUERRETTE of Caribou, Representative HAGGAN of Hampden, Representative HEPLER of Woolwich, Representative LANDRY of Farmington, Representative MASON of Lisbon, Representative NEWMAN of Belgrade, Representative O'CONNELL of Brewer, Representative SOBOLESKI of Phillips, Representative THERIAULT of Fort Kent, Representative WOOD of Greene, Representative WOODSOME of Waterboro.

On **OBJECTION** of Representative THORNE of Carmel, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **THORNE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I put this sentiment in to recognize Game Warden Brad Richard not for doing his job, but for going above and beyond, in my estimation. There are many that are convinced, myself included, that things would've turned out a lot differently for these two ladies had it not been for the professionalism, dedication and perseverance of Game Warden Brad Richard.

On February 21st, two intellectually challenged women, Kimberly Pushard and Angela Bussell, took off from Topsham headed for the mall. As we say when we go hunting in Maine, they got turned around. They lost their way a little bit. They ended up in someplace where they didn't know where they were and didn't know what to do. For days, they stayed in a Jeep, in the snow, in the cold, up an old, snowy, abandoned road near Nicatous Lake in Hancock County, over 150 miles from where they started. Temperatures on Saturday night after their vehicle ran out of fuel days earlier were 15 below. The Jeep had run out of gas after getting stuck in the snow and they stayed with the vehicle. Warden Brad Richard was on a patrol on his snowmobile and he noticed an obscure snowed-over set of vehicle tracks. Just on gut instinct, he went up the road for a considerable distance until he found the Jeep, covered in snow. He didn't know what he would find. He knocked on the Jeep and the door opened. He said, Kimberly and Angela? And she said, how'd you know our name? He said, many people have been looking for days for you. Warden Richard said, I'm going to get help, I need to go get some help, to which Kimberly said, would you please hurry up? She may or may not have said please. There was a Mountain Dew that was frozen solid in the front seat of the vehicle where the women were. Angela had frostbite to her knees where she had evidently knelt down in the snow, got them wet and gone back in the vehicle. They're doing fine today but had Warden Richard given up, gone home, it was cold, taken a left turn instead of following his gut, we would've had a significantly different outcome on this.

Maine is a great little big State and by that, Madam Speaker, I'll give you an example. I grew up in Presque Isle, graduated in 1982, haven't lived there since. But on Friday, I got no less than three text messages and two phone calls letting me know that the Speaker of the House was parked in front of the Northeastland Hotel. We're all also well aware of the grapevine telegraph, where if something happens in Maine and somebody from Florida calls us here in Maine to let us know that it's happened in Maine. All kinds of people were looking for these two women. The professionalism, dedication and resilience of Game Warden Brad Richard made a difference in their lives. They are alive today and I am convinced of that because Game Warden Brad Richard took his dedication seriously and we are fortunate to have professional men and women of the Maine Warden Service looking out for us on a daily basis. On Friday, I went to the Inland Fisheries and Wildlife, the Maine Game Warden awards banquet where they had Game Warden of the Year, Warden Pilot Jeff Spencer, Legendary Warden of the Year Pat Dorian, and when I put this sentiment in, I was told that, you know what, this kind of thing happens all the time, every day; police departments, sheriff's departments, state police, fire fighters, Maine Warden Service; every day, this type of thing happens. And I just wanted to point it out today so that we can take the time and recognize those who are dedicated to saving lives and protecting Maine citizens. Thank you, Madam Speaker.

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

In Memory of:

Richard E. Dyke, of Naples, founder and chief executive officer of Windham Weaponry. During his lifetime, Mr. Dyke owned nearly 70 companies. He bought Bushmaster Firearms out of bankruptcy in the 1970s and developed it into a major company in the firearms industry. He sold the company in 2006, but the new owners closed the Windham plant in 2011 and laid off all the employees. Mr. Dyke started a new company, Windham Weaponry, to put those employees back to work, receiving overwhelming support from the employees, his vendors and his customers. Mr. Dyke will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

(HLS 261)

Presented by Representative ANDREWS of Paris. Cosponsored by Senator LIBBY of Cumberland, Representative BLIER of Buxton, Representative WALKER of Naples.

On **OBJECTION** of Representative ANDREWS of Paris, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair is pleased to recognize the Representative from Paris, Representative Andrews.

Representative **ANDREWS**: Thank you, Madam Speaker. I didn't know Mr. Dyke, but I knew his name and in life, a man's name matters. Oftentimes in between rows of skeet at the Fish and Game Club, I'd hear the name Dick Dyke and stories of his conservation work or his philanthropic efforts. Mr. Dyke was best known for building an iconic Maine brand not once but twice. He provided a well-built product as well as many jobs for his community. Richard Dyke was a good man and he will be missed. Thank you.

The SPEAKER: The Chair is pleased to recognize the Representative from Buxton, Representative Blier.

Representative **BLIER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'm here today to speak about Richard Dyke, otherwise known as Dick Dyke or Mr. Dyke. He grew up in Wilton, Maine. His mother worked at the Bass shoe shop, his father was the Chief of Police in Wilton and they grew up in a house with no running water, with really humble beginnings. Later on, he attended Husson University where later on he became a member on the Board of Directors of Husson and helped them through difficult times, through the sales of land and allowing them to become the university that they are today.

Through his accounting degree, he saved 70 companies in the State of Maine, created jobs for a number of different people and through those achievements became a philanthropist and helped with Helping Hands in Windham, the Barbara Bush Foundation in Portland and also Opportunity Farms where victimized boys could have a safe place to go. And I was working on this, trying to figure out what I was going to say today, the overwhelming thing I got was Dick Dyke left this earth a better place than when he came and that's all something that we should aspire to be. And his brother Bruce and wife Judy are here today and his nephew Warren and Monique Dyke, and I just want to thank them for coming out today and memorializing Dick Dyke and through all the good things. And if you guys are interested, there's a book that was written about Mr. Dyke, Just a Man from Wilton. I recommend you pick it up and read it, it's a great story about his life. Thank you, Madam Speaker.

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

Representative **PRINGLE**: Thank you, Madam Speaker. I was unaware that we were doing this sentiment today but Dick Dyke was a neighbor of mine in Windham and I want to reiterate the things being said about him. He was a wonderful man who supported many causes in our community and all of us are sad that he has passed. Thank you.

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

In Memory of:

Janet Iveson, of Buckfield. After working as a homemaker and raising her family, Mrs. Iveson went to work for Weichert Realtors. Her career there led her to serve as President of The Weichert Referral Associates Company. She served for 22 years with the Weichert organization before retiring in 2012. Mrs. Iveson will be long remembered and sadly missed by her husband of 55 years, Michael, her family and friends and all those whose lives she touched;

(HLS 263)

Presented by Representative JACKSON of Oxford.

Cosponsored by Senator KEIM of Oxford.

On **OBJECTION** of Representative ANDREWS of Paris, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **ANDREWS**: Thank you, Madam Speaker. Janet Iveson and I did not agree on anything politically but she was my friend. We had a relationship not too dissimilar from Antonin Scalia and Ruth Bader Ginsburg where we could disagree vehemently politically yet still hang out and enjoy each other's company when time permitted. Janet cared deeply for her adopted hometown of Buckfield, Maine. She was smart, kind, determined and just a wonderful woman. She will be missed by all who knew her. Thank you, Madam Speaker.

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

In Memory of:

the Honorable Peter Anthony Cloutier, of South Portland. Mr. Cloutier worked for six years in the United States Merchant Marine. He later worked as a phone technician for New England Telephone and Telegraph Company before retiring to the family farm in 2008. In retirement on the farm, he hosted many events, including political fundraisers, reunions, weddings and impromptu gatherings. He represented South Portland in the Maine House of Representatives in the 109th, 116th and 117th Legislatures, where he advocated for education and the blue collar worker. An alumnus of Maine Maritime Academy, he served as a member of the academy's board of trustees. Mr. Cloutier will be long remembered and sadly missed by his wife of 55 years, Christine, his family and friends and all those whose lives he touched;

(HLS 271)

Presented by Representative RECKITT of South Portland.

Cosponsored by Senator CARNEY of Cumberland, Representative DHALAC of South Portland, Representative KESSLER of South Portland.

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

READ.

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

Representative **RECKITT**: Madam Speaker, Fellow Members of the Legislature, I'm of an age where the first thing I do in the morning is read the obituaries and, unfortunately, two or three days ago I did that and found my friend Pete in the obituaries. It is my understanding he had not been ill, just died, which some say is good, some bad; but in any case, I knew Pete mostly from Democratic Party politics during the time when he worked for New England Telephone. I didn't know him when he was in the Merchant Marine but he was a fixture on the South Portland political scene. I don't think you would've known what party he was in unless you happened to meet him at a meeting but he was a good, good man, who cared greatly for South Portland and for the whole of Maine and I'm sorry to have him gone from life and I'm particularly sorry to have him gone two years younger than me. That always makes me nervous.

Unfortunately, I never knew his wife, although I suspect I met her at a barbecue or two over the years. So, I am just; he was a good man, he was a thorough legislator, and I hope that he has passed on to better places. And I also apologize a bit to my friend Chris Kessler whose constituent he was but I happened to be the one who saw the announcement and had known him and started this ball rolling but I think Chris also wants to say a word or two. Thank you very much, Madam Speaker.

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

Representative **KESSLER**: Thank you, Madam Speaker, and to the other Representative from South Portland, no big deal whatsoever. I don't really speak often about folks who pass away but I got the chance to meet Pete when I was selling heat pumps and I was able to advise him on how to make his home more efficient and then a few years later, I had ended up at his door when I ran for State Representative for the first time and it was then that I realized how much of a history and how much he has contributed to not just South Portland but to the State of Maine. And if there's one thing that I can hope that I can recreate in my life is the amount of love that this man gave to his family, to his community. He was a patriarch, for sure, and a man who was certainly worth modeling yourself after. So, I mourn for his family and I appreciate the opportunity to speak.

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

REPORTS OF COMMITTEE

Refer to the Committee on Inland Fisheries and Wildlife Pursuant to Public Law

Representative LANDRY for the **Joint Standing Committee on Inland Fisheries and Wildlife** on Bill "An Act to Implement the Recommendations of the Department of Inland Fisheries and Wildlife's Report on Boater Safety Education"

(H.P. 1152) (L.D. 1807)

Reporting that it be **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** pursuant to Public Law 2021, chapter 656, section 8.

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

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

Sent for concurrence.

Change of Committee

Representative MEYER from the Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Increase Access to Necessary Medical Care for Certain Minors"

(H.P. 340) (L.D. 535)

Reporting that it be **REFERRED** to the Committee on **JUDICIARY**.

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

Subsequently, the Bill was **REFERRED** to the Committee on **JUDICIARY**.

Sent for concurrence.

Divided Reports

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-51)** on Bill "An Act to Fund Climate-related Service Work"

(H.P. 88) (L.D. 142)

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
DODGE of Belfast
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SARGENT of York
WORTH of Ellsworth

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

BAGSHAW of Windham
LYMAN of Livermore Falls
POLEWARCZYK of Wiscasset
SAMPSON of Alfred

READ.

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

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

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

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

Representative **SAMPSON**: Thank you, Madam Speaker. So, I oppose this motion. Essentially, the cost of this initiative is nearly \$4 million over the next two years. There are no clear goals or objectives for this project. So, I would encourage you to follow my light. Thank you.

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

Representative **FOSTER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I also rise in opposition to this pending motion. At \$1,840,000 a year, which is a fairly large expenditure for a few leaders and then for 50 members of this group, most of which will probably be young adults, likely just out of either high school or college, that's a rather large amount.

When we consider that many nonprofits are already filling this bill, if you will, along with some businesses who, for instance, promote solar net energy billing and take their message door to door and so on and so forth, the bill calls for \$1.5 million per year for 50 members of this group and \$340,000 for the leadership. That's \$30,000 a year per member. In my travels, every business I go to, every employer that I visit and most especially when I hear from my school district, they are looking for these types of people. So, I would suggest that rather than provide them a stipend or a part-time job for \$30,000 a year that these 50 people could be better used in our struggling businesses and our schools and others that are really hurting for employees. Thank you, Madam Speaker.

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

Representative **RIELLY**: Thank you, Madam Speaker. Last session, this Legislature in Committee unanimously passed this with bipartisan support; the Maine Climate Corps. This bill merely allocates additional funds to the program. Currently, Corps members will be working on home energy efficiency projects in Washington County. These communities desperately need these Corps members. However, the continuing service budget didn't allocate an adequate amount of funds for the Corps and the program risks running out of these monies. This bill looks at expanding the Corps by fully funding it and I believe that every person in this State should have the opportunity to serve as they see fit. That's my entire focus in the Legislature; giving Mainers the chance to serve their community, and that is the purpose of this bill. Thank you.

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

ROLL CALL NO. 37

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Carlow, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, 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, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, 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, Collamore, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Greenwood, Griffin, Guerrette, Hall, Henderson, Jackson, Javner, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmursal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Costain, Fay, Galletta, Gifford, Haggan, Hymes, Lajoie, Lanigan.

Yes, 82; No, 60; Absent, 8; Vacant, 1; Excused, 0.

82 having voted in the affirmative and 60 voted in the negative, 1 vacancy with 8 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-51)** 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-51)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-60)** on Bill "An Act to Clarify Court Jurisdiction of Actions Involving Children Brought Under the Maine Uniform Probate Code"

(H.P. 82) (L.D. 136)

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 Not 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 to Pass as Amended by Committee Amendment "A" (H-60)** Report.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-60)** 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-60)** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act to Eliminate the Requirement That Municipalities Provide Public Notice in Newspapers"

(H.P. 255) (L.D. 422)

Signed:

Senators:

NANGLE of Cumberland
BALDACCI of Penobscot

Representatives:

STOVER of Boothbay
ABDI of Lewiston
COPELAND of Saco
DHALAC of South Portland
PAULHUS of Bath
RISEMAN of Harrison

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-50)** on same Bill.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

ADAMS of Lebanon
GREENWOOD of Wales
POMERLEAU of Standish
UNDERWOOD of Presque Isle

READ.

Representative STOVER of Boothbay moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative GREENWOOD of Wales **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 Wales, Representative Greenwood.

Representative **GREENWOOD**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, this is a very well-intentioned bill that came before the Committee. Every one of us represent municipalities that have to do legal notices for public transactions and those get very costly. Madam Speaker, many of us do not have the newspaper infrastructure within our communities that actually even have a subscriber readership of any value. So, this bill would have suggested that a public website put out by the town would count as their public notice. The minority options of the Committee was to add that they must do a press release to a newspaper of general circulation. But, Madam Speaker, this had broad support from the Maine Town and City Clerks Association, the Maine Municipal Association, the Town of Belgrade, the Maine Rural Waters Association; all these agencies that really have to do legal notices just to conduct their regular business when we have a better option with their local municipal websites and the requirement that they do a press release to a paper. So, Madam Speaker, I oppose the pending motion and I encourage you to vote no.

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

Representative **COLLAMORE**: Thank you, Madam Speaker. I rise today in opposition to the pending motion. LD 422 would help municipalities save valuable tax dollars by allowing them to post public hearings and notices via virtual means and in the free local newspapers, which have greater readership in local communities they serve than the major newspapers that are hard to purchase in small communities if you try to pick up a paper past 8 a.m. I know, I've tried.

Having served on the Pittsfield Town Council as the Finance Committee Chair for two years, I know firsthand just how difficult it is for small communities to make any changes to items like housing zoning rules because it is outside of the budget to post such a large notice in the major newspapers. The cost for the local newspaper is much less expensive, with virtual

postings being free, and would allow municipalities to be more nimble.

In this virtual world we live in, in a Chamber that has gone paperless, understanding that municipalities have strong virtual footprints and when we, ourselves, have allowed reports to be transmitted virtually instead of requiring expensive printing of the reports, we should recognize the importance of allowing towns to make the move to virtual and local postings. I know for sure this would help my municipality make very needed updates to their charter in areas concerning zoning for housing, for example.

Please keep in mind, our small towns want to allow changes needed to address items like the housing crisis but oftentimes the cost associated with posting in the major newspapers prevents these quick changes due to the tight budgets of the towns. Madam Speaker, I ask that you follow my light, vote against the pending motion, and support LD 422 to help our small towns address the important issues facing our State. Thank you.

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

Representative **THORNE**: Thank you, Madam Speaker. I rise in opposition of the pending motion on the floor. My day job when I'm not legislating, I sell advertising in the North Woods Sporting Journal, which is a statewide hunting and fishing magazine. And I think what I'll do is I will introduce legislation where these announcements have to be taken out in such a publication because I make 35% commission on all ads that I sell for \$15 a column inch in the Sporting Journal. So, I urge you to vote against the pending legislation.

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

Representative **UNDERWOOD**: Thank you, Madam Speaker, for this opportunity. This is funding something that nobody reads and why are we funding what nobody reads and the only thing I can think of is maybe they editorialize or politicize or give favoritism to certain candidates and these certain candidates might get a lot of support from newspapers. So, with that, I'd like to say I'm going to vote against this pending motion and I hope everybody in this Chamber will vote the same way. Thank you.

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

Representative **STOVER**: Thank you, Madam Speaker. I rise again to speak in support of the pending motion, Ought Not to Pass. I have a hometown newspaper, the Boothbay Register, which I faithfully read weekly cover to cover, including the public notices. I, like many of my neighbors, find that newspapers remain the best way to provide official notices to local citizens like me about what's going on in the town. Many households in my community and across the State still do not have internet access. If we were to convert to an internet-only based public notice system, I'm afraid people would miss the opportunities. Therefore, I ask that people follow the Ought Not to Pass motion that is on the floor. 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. 38

YEA - Abdi, Ankeles, Arford, Bell, Blier, Boyer, Boyle, Brennan, Cloutier, Cluchey, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Henderson, Hepler, Hobbs, Jauch, Kuhn, Landry, Lee, Lookner, Madigan, Malon,

Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry J, Pluecker, Pringle, Quint, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Bradstreet, Bridgeo, Campbell, Carlow, Carmichael, Collamore, Collings, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Greenwood, Griffin, Guerrette, Hall, Jackson, Javner, Kessler, LaRochelle, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Rudnicki, Sampson, Sayre, Schmersal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White B, White J, Wood, Woodsome.

ABSENT - Costain, Fay, Galletta, Gifford, Haggan, Hymes, Lajoie, Lanigan, Perry A.

Yes, 78; No, 63; Absent, 9; Vacant, 1; Excused, 0.

78 having voted in the affirmative and 63 voted in the negative, 1 vacancy with 9 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act to Promote Free Trade by Preventing Municipalities from Prohibiting the Sale of Legal Goods"

(H.P. 397) (L.D. 620)

Signed:

Senators:

NANGLE of Cumberland
BALDACCI of Penobscot

Representatives:

STOVER of Boothbay
ABDI of Lewiston
COPELAND of Saco
DHALAC of South Portland
RISEMAN of Harrison

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-49)** on same Bill.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

ADAMS of Lebanon
GREENWOOD of Wales
POMERLEAU of Standish
UNDERWOOD of Presque Isle

READ.

Representative STOVER of Boothbay moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative GREENWOOD of Wales **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 Wales, Representative Greenwood.

Representative **GREENWOOD**: Thank you, Madam Speaker. Madam Speaker, not only am I a State Representative, I'm a municipal official. I've been a selectman for the better part of my 30 years in public service. I don't want to step on any local control, that's not my intent here with rising. But this bill was a simple common-sense measure to address an issue of patchwork throughout our State. We saw it years ago with municipalities banning plastic bags prior to the State mandate. We've seen it across the nation of towns and cities banning soda drinks or energy drinks when they're legal across the remainder of the State. This is just a bill that would prohibit the municipalities from putting a ban on a single item or a single consumable product that is not across the State. And I will draw your attention to the notwithstanding provisions that this would not override the marijuana prohibitions, where those were an opt-in, and it would also not override the local ability to regulate spirits, wine, malt, etcetera. This is just so that we don't have a patchwork across the State of local bans on products that are legal across the State. Thank you.

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

Representative **STOVER**: Thank you, Madam Speaker. I rise again to speak in support of the Ought Not to Pass motion. LD 620 seeks to lower municipal government's ability to respond or regulate public or environmental health concerns. We rely in Maine on our municipalities to engage locally on issues of public concern. As written, LD 620 would restrict local government's ability to respond or regulate public or environmental health issues. I ask you to follow me and vote Ought Not to Pass on this motion.

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. 39

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Carlow, Cloutier, Cluchey, Collamore, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, 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, Shaw, Sheehan, Skold, Stover, Strout, Supica, Terry, Warren, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carmichael, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Greenwood, Griffin, Guerrette, Hall, Henderson, Jackson, Javner, Landry, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Perry J, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmersal-Burgess, Smith, Soboleski, Swallow, Theriault, Thorne, Underwood, Walker, White B, White J, Wood, Woodsome.

ABSENT - Costain, Fay, Galletta, Gifford, Haggan, Hymes, Lajoie, Lanigan.

Yes, 81; No, 61; Absent, 8; Vacant, 1; Excused, 0.

81 having voted in the affirmative and 61 voted in the negative, 1 vacancy with 8 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act to Protect Vehicle Buyers by Limiting Vehicle Document Preparation Fees"

(H.P. 416) (L.D. 639)

Signed:

Senators:

CHIPMAN of Cumberland
FARRIN of Somerset

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-52)** on same Bill.

Signed:

Representative:

ANKELES of Brunswick

READ.

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

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Prevent Electioneering on General Election Ballots by Candidates Nominated by Petition"

(H.P. 425) (L.D. 656)

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland

Representatives:

SUPICA of Bangor
COLLINGS of Portland
MALON of Biddeford
MONTELL of Gardiner
RIELLY of Westbrook

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-58)** on same Bill.

Signed:

Senator:

TIMBERLAKE of Androscoggin

Representatives:

ANDREWS of Paris
BOYER of Poland
HYMES of Waldo
RISEMAN of Harrison
RUDNICKI of Fairfield

READ.

Representative SUPICA 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 is about aligning standards between party candidates and unenrolled candidates. Currently, party candidates have their registered political party listed on the ballot under their name. Currently, unenrolled candidates are allowed to use up to three words to describe their party designation. This bill would repeal that provision and require that the ballot reflect their registration status. Those of you that have been here for four years, as I have, may remember previous discussions around allowing nicknames on the ballot and the discussion in that always centered around the idea of electioneering. One particular objection was that words such as the greatest or the people's hero could be requested as a nickname, yet under the current law either of those designations could be listed as a party designation on the ballot. So, by enacting this bill, we are preventing candidates from using the ballot as an electioneering instrument. We do not allow candidates to campaign within 250 feet of a polling place. We should also not permit having slogans printed on the ballot as a political designation. Party candidates can only have their name and the political party on the ballot. There's ample opportunity during the campaign to print slogans on signs, palm cards and mailers to promote our candidacy, without having the message printed on the ballot as well.

Furthermore, there is a process by which people with similar philosophical beliefs can go about creating a new party. I know that both political parties work hard to invest a lot of time, money and energy into registering new voters and growing their numbers. Allowing others to just have a name printed on the ballot seems like an end-run around this process.

The bill as amended would allow for the phrase Independent or Unenrolled to be printed on the ballot, so, I think it still reflects what those third-party candidates want without allowing them to have what I consider to be an unfair advantage in an election process. So, for those reasons, I would --

Representative **SUPICA**: Point of Order.

The **SPEAKER**: The Member will defer. The Chair will inquire as to why the Member rises.

Representative **SUPICA**: Thank you, Madam Speaker. We are here to speak to the motion before us and not to any possible amendments to the bill.

On **POINT OF ORDER**, Representative SUPICA of Bangor asked the Chair if the remarks of Representative MORRIS of Turner were germane to the pending question.

The **SPEAKER**: The Ought Not to Pass Majority Report opens the entire item up for a debate. The Member will proceed.

The Chair ruled that the remarks of Representative MORRIS of Turner were germane to the pending question.

Representative **MORRIS**: Thank you, Madam Speaker, that was my final sentence on the matter. I would urge this Body to reject the pending motion. 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. 40

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

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Greenwood, Griffin, Guerrette, Hall, Henderson, Hepler, Jackson, Javner, Landry, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Riseman, Rudnicki, Russell, Sampson, Schmearsal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome, Worth.

ABSENT - Costain, Fay, Galletta, Gifford, Haggan, Hymes, Lajoie, Lanigan.

Yes, 76; No, 66; Absent, 8; Vacant, 1; Excused, 0.

76 having voted in the affirmative and 66 voted in the negative, 1 vacancy with 8 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-57)** on Bill "An Act to Require All Candidates for Any State or County Office to Follow the Same Rules for Submission of Signatures Regarding Deadlines and the Number of Signatures"

(H.P. 704) (L.D. 1108)

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland
TIMBERLAKE of Androscoggin

Representatives:

SUPICA of Bangor
BOYER of Poland
COLLINGS of Portland
RISEMAN of Harrison
RUDNICKI of Fairfield

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

Signed:

Representatives:

MALON of Biddeford
MONTELL of Gardiner
RIELLY of Westbrook

READ.

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

Eight Members of the Committee on **JUDICIARY** report in Report "A" **Ought Not to Pass** on Bill "An Act to Protect Financial Privacy"

(H.P. 445) (L.D. 676)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

MOONEN of Portland
KUHN of Falmouth
MORIARTY of Cumberland
POIRIER of Skowhegan
RECKITT of South Portland
SHEEHAN of Biddeford

Four Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "A" (H-61)** on same Bill.

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
ENDERSON of Rumford

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-62)** on same Bill.

Signed:

Representative:

LEE of Auburn

Representative DANA of the Passamaquoddy Tribe - of the House - supports Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-62)**.

READ.

On motion of Representative MOONEN, Report "A" **Ought Not to Pass** was **ACCEPTED** and sent for concurrence.

CONSENT CALENDAR

First Day

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

(S.P. 22) (L.D. 30) Bill "An Act to Increase the Statutory Fee for Defensive Driving Courses" Committee on **TRANSPORTATION** reporting **Ought to Pass**

(S.P. 136) (L.D. 315) Bill "An Act to Provide Funding for Drought Relief and Other Programs Benefiting Maine Farmers" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-27)**

(S.P. 350) (L.D. 791) Bill "An Act to Support the Maintenance of Historic Fort George in Castine" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-26)**

(H.P. 282) (L.D. 465) Bill "An Act to Provide for an Electronic Permit for the Disposition of Human Remains" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 21) (L.D. 17) Bill "An Act to Amend the Membership Requirements of the State Claims Commission" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-55)**

(H.P. 63) (L.D. 95) Bill "An Act Concerning the Membership of the State Emergency Response Commission and Fees for Registering Facilities Required to Report to That Commission" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-54)**

(H.P. 165) (L.D. 260) Bill "An Act to Make Supplemental Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2023" (EMERGENCY) Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-59)**

(H.P. 235) (L.D. 384) Bill "An Act Addressing Agriculture, Conservation and Forestry in Maine" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-53)**

(H.P. 370) (L.D. 575) Bill "An Act Regarding a Seat Belt Exemption for Persons with a Medical Condition" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-56)**

(H.P. 523) (L.D. 834) Bill "An Act to Ensure Transparency in the Labeling of Meat as Grass-fed" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-48)**

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.

ENACTORS

Acts

An Act to Update Reimbursement Rates for Transportation of Deceased Persons by Funeral Homes

(S.P. 222) (L.D. 505)
(C. "A" S-22)

An Act to Protect the Public Health by Allowing the Appointment of Associate Health Officers

(S.P. 227) (L.D. 510)

An Act to Designate Maine Irish Heritage Day

(H.P. 405) (L.D. 628)

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.

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

SENATE PAPERS

Bill "An Act to Protect Maine's Transit Employees"

(S.P. 721) (L.D. 1796)

Bill "An Act to Add Certain Volunteer Firefighters to the Definition of 'Volunteer Firefighter'"

(S.P. 727) (L.D. 1802)

Came from the Senate, **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** in concurrence.

Bill "An Act to Support School Choice by Establishing Empowerment Scholarship Accounts"

(S.P. 723) (L.D. 1798)

Bill "An Act to Expand Maine's High-quality Early Learning and Care for Children by Increasing Public Preschool Opportunities in Communities"

(S.P. 724) (L.D. 1799)

Bill "An Act Regarding Parental Rights in Education"

(S.P. 725) (L.D. 1800)

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

REFERRED to the Committee on **EDUCATION AND CULTURAL AFFAIRS** in concurrence.

Bill "An Act to Make the ConnectMaine Authority Responsible for Attachments to and Joint Use of Utility Poles and to Establish Procedures for Broadband Service Infrastructure Crossing Railroad Tracks"

(S.P. 716) (L.D. 1791)

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 Establish the Office of the Inspector General of Child Protection"

(S.P. 713) (L.D. 1788)

Resolve, to Establish the Rural Health Services Task Force

(S.P. 717) (L.D. 1792)

Resolve, Directing the Department of Health and Human Services to Contract for Discounted Insulin Manufactured and Distributed by Civica Rx

(S.P. 718) (L.D. 1793)

Resolve, to Increase Transparency and Evaluate Emergency Response Through a COVID-19 Review Commission (EMERGENCY)

(S.P. 726) (L.D. 1801)

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 Protect Patients by Prohibiting Certain Medical Facility Fees"

(S.P. 720) (L.D. 1795)

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 Expand Maine's Health Care Workforce by Expanding Educational Opportunities and Providing Tax Credits"

(S.P. 722) (L.D. 1797)

Bill "An Act to Require Online Used Car Dealers to Be Licensed"

(S.P. 731) (L.D. 1806)

Came from the Senate, **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and ordered printed.

REFERRED to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** in concurrence.

Bill "An Act Regarding Trustee Duties to Beneficiaries"

(S.P. 710) (L.D. 1763)

Bill "An Act Regarding the Charge for Research Time by State Agencies for Freedom of Access Act Requests"

(S.P. 711) (L.D. 1764)

Bill "An Act to Remove All Marijuana-related Provisions from the Maine Criminal Code and Expunge All Convictions Involving Marijuana"

(S.P. 714) (L.D. 1789)

Bill "An Act Removing the Statute of Limitations on Criminal and Civil Actions Involving Sexual Abuse of Minors"

(S.P. 715) (L.D. 1790)

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

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

Bill "An Act to Clarify the Disability Retirement Program of the Maine Public Employees Retirement System"

(S.P. 706) (L.D. 1759)

Bill "An Act to Include Certain Crisis Outreach and Crisis Services Workers Under the 1998 Special Plan for Retirement"

(S.P. 707) (L.D. 1760)

Bill "An Act to Include Certain Mental Health Workers Under the 1998 Special Plan for Retirement"

(S.P. 708) (L.D. 1761)

Bill "An Act to Require the Bureau of Labor Standards to Create and Distribute in Workplaces a Veterans' Benefits and Services Poster"

(S.P. 709) (L.D. 1762)

Bill "An Act to Enhance the Predictability of Mandated Overtime for Pulp or Paper Manufacturing Facility Employees"

(S.P. 719) (L.D. 1794)

Bill "An Act to Improve the Maine Workers' Compensation Act of 1992"

(S.P. 728) (L.D. 1803)

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.

Bill "An Act to Provide Transparency and Accountability for Corporate Tax Expenditures"

(S.P. 729) (L.D. 1804)

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

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

Bill "An Act to Increase State Oversight of Election Funding by Requiring Approval by the Legislature"

(S.P. 730) (L.D. 1805)

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.

ORDER

On motion of Speaker TALBOT ROSS of Portland, the following Joint Order: (H.P. 1158)

WHEREAS, the Constitution of Maine, Article VI, Section 3 provides for the Justices of the Supreme Judicial Court to render their opinion on important questions of law and upon solemn occasions; and

WHEREAS, it appears to the 131st Legislature that the following are important questions of law and that this is a solemn occasion; and

WHEREAS, the Constitution of Maine, Article IV, Part Third, Section 18 provides the ability of electors to propose to the Legislature any bill, resolve or resolution and further provides the procedures to be followed by the initiators, including filing the petition for a direct initiative of legislation, addressed to the Legislature, with the Secretary of State within a specified number of days after the convening of a regular session; and

WHEREAS, the Constitution of Maine, Article IV, Part Third, Section 18, Subsection 2 provides in 2 different places that the Legislature must be given the opportunity to act on the measure: "The measure thus proposed, *unless enacted without change by the Legislature at the session at which it is presented*, shall be submitted to the electors together with any ... recommendation of the Legislature" [emphasis added]; and further that "[i]f the measure initiated *is enacted by the Legislature without change*, it shall not go to a referendum vote..." [emphasis added]; and

WHEREAS, for the Legislature to exercise its right under the Constitution of Maine to act on a measure, the measure must be before the Legislature in the form of a legislative document; and

WHEREAS, 4 measures proposed by electors were presented to the Secretary of State; and

WHEREAS, the Secretary of State transmitted 2 of the measures to the Legislature on February 16, 2023 to be produced by the Office of the Revisor of Statutes as legislative documents for consideration by the Legislature and 2 were transmitted to the Legislature on March 22, 2023 to be produced by the Office of the Revisor of Statutes as legislative documents for consideration by the Legislature; and

WHEREAS, before the Legislature was presented with any of the measures produced as legislative documents, the First Regular Session of the 131st Legislature, due to unforeseen circumstances, adjourned on March 30, 2023; and

WHEREAS, prior to its adjournment, the First Regular Session of the 131st Legislature passed a joint order carrying over to a subsequent session of the 131st Legislature "...all matters not finally disposed of at the time of adjournment...in the possession of the Legislature, including working papers and drafts in the possession of nonpartisan staff offices..." [See Senate Paper 594]; and

WHEREAS, among the working papers and drafts in the possession of the nonpartisan staff office the Office of the Revisor of Statutes were the 4 measures, having not yet been prepared as legislative documents; and

WHEREAS, the 131st Legislature convened in special session 6 days after adjournment, on April 5, 2023; and

WHEREAS, on April 10, 2023, 2 of the measures, as prepared by the Office of the Revisor of Statutes, were transmitted to the Clerk of the House, given Legislative Document numbers, L.D. 1610 and L.D. 1611, printed and presented to the Legislature; and

WHEREAS, on April 11, 2023, the Secretary of State issued 4 proclamations of the Governor proclaiming that an election be held for all 4 measures, overlooking the right of the Legislature to consider these measures as provided by the Constitution of Maine, Article IV, Part Third, Section 18, Subsection 2; and

WHEREAS, the issuance of these proclamations casts doubt on the ability of the Legislature to legitimately act on the direct initiatives of legislation now before it, including the right of the Legislature to enact the measures without change and prevent the measures from going to referendum vote, as is the Legislature's right under the Constitution of Maine; and

WHEREAS, there are now questions before the Legislature regarding the ability of the Legislature to act on these 4 legislative documents and the consequences of any actions taken to enact these 4 legislative documents; and

WHEREAS, it is important that the Legislature be informed as to the questions raised in this order; now, therefore, be it

ORDERED, the Senate concurring, that, in accordance with the provisions of the Constitution of Maine, the House of Representatives and the Senate respectfully request the Justices of the Supreme Judicial Court to give their opinion to the House of Representatives and the Senate on the following questions of law:

Question 1. Is the mere transmittal of a measure by the Secretary of State to the Legislature's bill production office for preparation as a legislative document sufficient to constitute "presented to the Legislature," thus eliminating the right of the Legislature to act on the measure as specified in the Constitution of Maine, Article IV, Part Third, Section 18, Subsection 2?

Question 2. If the answer to Question 1 is in the affirmative, is the 131st Legislature, now assembled in the First Special Session, precluded from acting on such a measure?

Question 3. If the answer to Question 2 is in the negative and the Legislature enacts such a measure without change, is the bill thus enacted by the Legislature considered a competing measure as described in the Constitution of Maine, Article IV, Part Third, Section 18, Subsection 2?

READ.

Pursuant to House Rule 513, this Joint Order was **TABLED** one Legislative day pending **PASSAGE**.

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

On motion of Representative RECKITT of South Portland, the House adjourned at 1:02 p.m., until 10:00 a.m., Thursday, April 27, 2023, in honor and lasting tribute to Richard E. Dyke of Naples, Janet Iveson of Buckfield, Andre L. Dumas of Caribou and the Honorable Peter Anthony Cloutier of South Portland.