

# MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE  
FIRST SPECIAL SESSION  
9th Legislative Day  
Thursday, April 27, 2023

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

Prayer by Reverend Gil Nkamwesiga, East Hodgdon Bible Church, Hodgdon.

National Anthem by Jack Pitteroff, Randolph.

Pledge of Allegiance.

Doctor of the day, Meredith T. Peck, D.O., Portland.

The Journal of Tuesday, April 25, 2023 was read and approved.

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

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

**CONSENT CALENDAR**

**First Day**

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

(S.P. 46) (L.D. 74) Bill "An Act to Update the Responsibilities of the Clean-up and Response Fund Review Board" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-33)**

(S.P. 73) (L.D. 134) Bill "An Act to Increase the Handling Fee for Beverage Containers Reimbursed to Dealers and Redemption Centers" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-34)**

(H.P. 625) (L.D. 978) Bill "An Act to Maintain Legislative Oversight of the Maine Medical Use of Cannabis Program by Requiring Major Substantive Rulemaking" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass**

(H.P. 32) (L.D. 57) Bill "An Act to Amend Maine's Endangered and Threatened Species List" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-66)**

(H.P. 44) (L.D. 69) Bill "An Act to Improve Electrical Supply Cost Transparency" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-72)**

(H.P. 296) (L.D. 479) Bill "An Act to Amend the Laws Governing the Membership of the Palliative Care and Quality of Life Interdisciplinary Advisory Council" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-65)**

(H.P. 417) (L.D. 640) Bill "An Act to Update the Charter of the Lewiston-Auburn Water Pollution Control Authority" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-71)**

(H.P. 657) (L.D. 1021) Bill "An Act to Enhance Awareness of Laboratory Testing of Ticks for Lyme Disease" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-74)**

(H.P. 670) (L.D. 1034) Bill "An Act to Require That Service of a Temporary Protection Order Be Attempted Within 48 Hours from the Issuance of the Order" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-69)**

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

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

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

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**SENATE PAPERS**

The following Joint Resolution: (S.P. 712)

**JOINT RESOLUTION DESIGNATING MAY 1-7, 2023 AS TARDIVE DYSKINESIA AWARENESS WEEK**

WHEREAS, many people with serious, chronic mental health conditions, such as schizophrenia, bipolar disorder or severe depression, or gastrointestinal disorders, including gastroparesis, nausea and vomiting, require treatment with medications that work as dopamine receptor blocking agents, or DRBAs, including antipsychotic medications; and

WHEREAS, while ongoing treatment with these medications can be very helpful, and even lifesaving, for many people, it can also lead to tardive dyskinesia; and

WHEREAS, tardive dyskinesia is a movement disorder that is characterized by random, involuntary and uncontrolled movements of different muscles in the face, trunk and extremities; and

WHEREAS, tardive dyskinesia can develop months, years or decades after a person starts taking DRBAs and even after they have discontinued use of those medications. Not everyone who takes a DRBA develops tardive dyskinesia, but if it develops it is often permanent; and

WHEREAS, it is estimated that over 600,000 Americans suffer from tardive dyskinesia, and, according to the National Alliance on Mental Illness, one in every 4 patients receiving long-term treatment with an antipsychotic medication will experience tardive dyskinesia; and

WHEREAS, tardive dyskinesia is often unrecognized and patients suffering from the disorder are commonly misdiagnosed, and regular screening for tardive dyskinesia in patients taking DRBAs is therefore recommended by the American Psychiatric Association; and

WHEREAS, while years of difficult and challenging research have resulted in recent scientific breakthroughs regarding tardive dyskinesia, it is important to continue to raise awareness of tardive dyskinesia in the public and the medical community; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to designate May 1-7, 2023 as Tardive Dyskinesia Awareness Week and respectfully encourage each individual in the State to become aware of and better informed about tardive dyskinesia.

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

**COMMUNICATIONS**

The Following Communication: (H.C. 147)

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

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. 895 An Act to Establish Culturally Informed Reentry or Reintegration Halfway Houses
- L.D. 1039 An Act to Provide Restitution for Victims of Shoplifting for Time Spent Dealing with the Offense
- L.D. 1189 An Act to Amend the Burden of Proof for Defendants Who Cannot Pay Criminal Restitution

**Education and Cultural Affairs**

- L.D. 293 An Act to Revise the School Funding Formula
- L.D. 385 Resolve, Directing the Department of Education to Examine Alternative Metrics for Determining the Disadvantaged Student Factor in the School Funding Formula
- L.D. 889 An Act to Better Support the Educational Attainment of Low and Moderate-income Communities by Providing Additional Funding to Certain School Administrative Units
- L.D. 951 An Act to Amend the State Education Funding Formula to Create Equity Between Municipalities by Adding Median Income to the Formula
- L.D. 1158 An Act to Recognize the Critical Nature of Workforce Development Through Career and Technical Education by Establishing an Adjustment for Career and Technical Education Centers in the School Funding Formula
- L.D. 1369 An Act to Amend the Essential Programs and Services Funding Formula to Include All Costs for the Transportation of Students

**Health and Human Services**

- L.D. 781 An Act to Protect Nursing Home Residents by Requiring Nursing Homes to Provide Silent Bed Alarms for Residents with Dementia
- L.D. 1091 Resolve, Directing the Department of Health and Human Services to Review Its Rules Regarding Campgrounds in Order to Ensure Campground Health and Safety
- L.D. 1099 An Act to Protect Vulnerable Populations in Residential Facilities from Extended Power Outages

**Housing**

- L.D. 462 An Act to Assist Persons Experiencing Homelessness in Areas of High Rent by Seeking a Waiver from the Federal Government

**Judiciary**

- L.D. 1261 An Act to Establish Mandatory Minimum Sentences for Gross Sexual Assaults and Sex Trafficking of Children
- L.D. 1279 An Act to Strengthen Maine's Child Protection Laws by Limiting Contact with Violent Offenders

**Taxation**

- L.D. 517 An Act to Allow Maine Families to Deduct Vehicle Excise Taxes on State Income Tax Returns
- L.D. 1118 An Act to Reduce the Sales Tax on Automobiles
- L.D. 1147 An Act to Exempt Gold and Silver Coins and Bullion from the State Income Tax

- L.D. 1202 An Act to Increase the Homestead Exemption to \$50,000
- Transportation
- L.D. 102 An Act to Increase the Length of Registration for Antique Autos
- L.D. 298 An Act to Study the Shared Use of the Public Right of Way
- L.D. 880 Resolve, Directing the Department of Transportation to Initiate a Service Development Plan for Commuter and Passenger Train Service Between Portland and the Lewiston and Auburn Area
- L.D. 1076 An Act to Expand the Use of Traffic Cameras for School and Work Zones
- L.D. 1093 An Act to Create a Seasonal Gas Tax Exemption and Rate
- L.D. 1141 An Act to Improve Access and System Preservation by Providing Shoulders and Bicycle Lanes on State Roadways Leading to State Parks and Other Significant Destinations
- L.D. 1180 An Act to Add an Exception to the Law Regarding Intermediate Driver's Licenses Regarding Passengers
- L.D. 1245 An Act to Require Registration of Motorized Bicycles or Tricycles or Motorized Scooters
- L.D. 1542 Resolve, to Direct the Department of Transportation to Study the Use of Micromobility Devices
- Veterans and Legal Affairs
- L.D. 410 An Act Regarding the Nuisance of Cannabis Plants and Smoke in Residential Areas
- L.D. 766 An Act Regarding the Residence of Incarcerated Persons for Voting Purposes
- L.D. 1071 An Act to Allow Political Candidates to Be Nominated by Multiple Parties for the Same Office

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

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

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The Following Communication: (H.C. 148)

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

April 27, 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 Health and Human Services has approved the request by the sponsor, Representative Skold of Portland, to report the following "Leave to Withdraw:"

- L.D. 448 An Act to Improve Access to Behavioral Health Services for Maine Families and Children on MaineCare and to Increase the Number of Behavioral Health Professionals in the State

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

L.D. 1430 Resolve, to Amend the Funding Formula for Reimbursing Nursing Facilities Under the MaineCare Program (EMERGENCY)

Pursuant to Joint Rule 310, the Committee on Veterans and Legal Affairs has approved the request by the sponsor, Representative Crockett of Portland, to report the following "Leave to Withdraw:"

L.D. 1548 An Act to Support Maine Craft Brewers by Amending the Law Regarding Breweries with Multiple Locations

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

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

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

**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

the Wentzell family, of North Yarmouth, on the publication of their children's book, "A Dog and His Boy: The Adventures of Spillway and Scotty." The book tells the story of a boy named Scotty, who lives with a developmental disability, and his life-sized stuffed dog named Spillway. Told from Spillway's point of view, the story explores themes of acceptance, empathy, inclusion and friendship. We extend our congratulations and best wishes;

(HLS 278)

Presented by Representative GRAHAM of North Yarmouth. Cosponsored by Senator PIERCE of Cumberland.

On **OBJECTION** of Representative GRAHAM of North Yarmouth, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER**: The Chair recognizes the Representative from North Yarmouth, Representative Graham.

Representative **GRAHAM**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. We often celebrate athletes, sometimes musical groups, but I'm here today to celebrate Scotty. Scotty Wentzell is a really unique, wonderful young man. I met Scotty's mom, Lisa, when I was knocking on doors last summer. That's when I learned of the amazing Scotty Wentzell. Scotty is a graduate of Greeley High School and a loved member of the communities of North Yarmouth and Cumberland.

Allow me to read from his book that his mom wrote along with Heidi Bullen. It says; Dear Reader; this is from Spillway, by the way, Scotty's dog. My boy spreads love and kindness each and every day with smiles, hugs and laughter in his special way. You see, Scotty is just like you in so many different ways. He loves making brand-new friends throughout all of his days, even though it may be hard because he doesn't talk, it really means a lot to him to just go for a walk. I truly treasure all the love and everything we share. It always means so much to us when others show they care. This life may often take a turn, a different path than planned, but this one's our perfect life, it's wonderful and grand. So, next time, try and say hello to those different from you. Not only will you make them smile, you'll find you're smiling, too.

Spillway is the dog that you see in the gallery. I think he's alive, I'm not sure. So, thank you, Ladies and Gentlemen of the House, for honoring my friend Scotty.

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

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**In Memory of:**

Mary T. Honan, of Falmouth. Mrs. Honan had a career as a real estate agent with the Beecher Agency in Falmouth and served as President of the Women's Council of Realtors and as state president and governor in 1997 and 1998. She was a member of the Falmouth Conservation Committee and the Falmouth Historical Society. She was very active at Holy Martyrs Catholic Church. She was a prominent member of the Mother's Club at Cheverus High School, eventually serving as its president. She was the first woman on the Cheverus High School Board of Trustees and received The Magis Award in 2014 for her service to the school, as well as the Crescamus In Illo Award. She also served as the first non-cleric member of the Board of Trustees at Saint Joseph's Manor. Mrs. Honan will be long remembered and sadly missed by her family and friends and all those whose lives she touched;

(HLS 279)

Presented by Representative KUHN of Falmouth.

Cosponsored by Senator PIERCE of Cumberland, Representative CROCKETT of Portland.

On **OBJECTION** of Representative KUHN of Falmouth, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

The **SPEAKER**: The Chair recognizes the Representative from Falmouth, Representative Kuhn.

Representative **KUHN**: Thank you, Madam Speaker, Esteemed Members of the House. I am pleased to rise today to offer a sentiment in memory of Mary T. Honan. Mrs. Honan lived to the age of 97, one of Falmouth's oldest residents, when she passed earlier this year, actually two months ago today. For 84 of her years, she lived just down the road in my neighborhood and she was a formidable leader in our community. The sentiment that was read reflected many of Mrs. Honan's professional accomplishments but I wanted to take a moment to share a couple of more personal remembrances shared by her family because Mrs. Honan also knew how to have fun.

St. Patrick's Day was a particular favorite. Following in her Irish parents' tradition, she hosted an all-day open house every year where the tea kettle would whistle all day and Irish bread and Irish tunes were available in abundance. Birthday celebrations were also important. Her 95th birthday took place during COVID, unfortunately, but the town of Falmouth showed up in great numbers to celebrate her. This included a parade by her home led by five fire engines with lights flashing, followed by about 50 vehicles filled with family and friends, and finishing with a police cruiser, also with lights flashing, all cheering to Mary T. as she sat at the end of her driveway, waving to her fan club.

Mrs. Honan was dedicated to her family, her community, and her church. She was predeceased by her husband, Jimmy, of 64 years and is survived by five children, 10 grandchildren, dozens of nieces and nephews and other loving family members. Many of those folks are here with us today in the gallery to commemorate Mary T. Honan's life here in the House of Representatives. Mrs. Honan will be warmly remembered and sadly missed. Thank you, Madam Speaker.

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

**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE**

Bill "An Act to Create the Empowerment Scholarship Account Program"

(H.P. 1170) (L.D. 1838)

Sponsored by Representative SWALLOW of Houlton.

Cosponsored by Senator: LIBBY of Cumberland.

Bill "An Act to Establish the Hope and Inclusion Scholarship Program"

(H.P. 1173) (L.D. 1841)

Sponsored by Representative BAGSHAW of Windham.

Cosponsored by Senator STEWART of Aroostook and Representatives: ANDREWS of Paris, HENDERSON of Rumford, JAVNER of Chester, PERKINS of Dover-Foxcroft, RISEMAN of Harrison, RUDNICKI of Fairfield, Senators: BRAKEY of Androscoggin, LIBBY of Cumberland.

Resolve, to Support Energy Upgrades at Maine Public Schools and Ensure That New School Construction Meets Current Energy Efficiency Standards

(H.P. 1174) (L.D. 1842)

Sponsored by Representative LaROCHELLE of Augusta.

Cosponsored by Representatives: KESSLER of South Portland, MALON of Biddeford, OSHER of Orono.

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 Reduce Mercury in the Environment by Phasing Out Certain Fluorescent Light Bulbs"

(H.P. 1160) (L.D. 1814)

Sponsored by Representative BELL of Yarmouth.

Cosponsored by Representatives: BRIDGEO of Augusta, DOUDERA of Camden, GRAMLICH of Old Orchard Beach, SCHMERSAL-BURGESS of Mexico, WOODSOME of Waterboro.

Bill "An Act to Study a Permitting Process for and Establish a Moratorium on Certain Tall Structures"

(H.P. 1171) (L.D. 1839)

Sponsored by Representative MILLIKEN of Blue Hill.

Cosponsored by Representatives: DANA of the Passamaquoddy Tribe, GRAMLICH of Old Orchard Beach, JAUCH of Topsham, KESSLER of South Portland, WARREN of Scarborough.

Bill "An Act to Regulate Outdoor Lighting"

(H.P. 1177) (L.D. 1845)

Sponsored by Representative OSHER of Orono.

Cosponsored by Senator GROHOSKI of Hancock and Representatives: KESSLER of South Portland, LOOKNER of Portland, O'NEIL of Saco, RUNTE of York, WILLIAMS of Bar Harbor, Senator: BRENNER of Cumberland.

Committee on **ENVIRONMENT AND NATURAL RESOURCES** suggested and ordered printed.

**REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

Sent for concurrence.

Bill "An Act to Increase Oral Health Services"

(H.P. 1169) (L.D. 1837)

Sponsored by Representative GRAMLICH of Old Orchard Beach.

Cosponsored by Senator INGWERSEN of York and Representatives: GATTINE of Westbrook, GRAHAM of North Yarmouth, JAVNER of Chester, MASTRACCIO of Sanford, STOVER of Boothbay, ZAGER of Portland, Senator: MOORE of Washington.

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.

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Bill "An Act Requiring Reference-based Pricing to Reduce Prescription Drug Costs"

(H.P. 1162) (L.D. 1816)

Sponsored by Representative PERRY of Calais.

Cosponsored by Senator BAILEY of York and Representative: ARFORD of Brunswick.

Bill "An Act to Require Reimbursement of Fees for Treatment Rendered by Public and Private Ambulance Services" (EMERGENCY)

(H.P. 1164) (L.D. 1832)

Sponsored by Representative CYRWAY of Albion.

Cosponsored by Senator BAILEY of York and Representatives: ARFORD of Brunswick, DILL of Old Town, MASTRACCIO of Sanford, MORRIS of Turner, NUTTING of Oakland, PERRY of Calais, PRINGLE of Windham, Senator: BRAKEY of Androscoggin.  
Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Bill "An Act Regarding Insurance Coverage for Diagnostic and Supplemental Breast Examinations"

(H.P. 1168) (L.D. 1836)

Sponsored by Representative MATHIESON of Kittery.

Cosponsored by Representative GRAMLICH of Old Orchard Beach, Senator MOORE of Washington, Senator BRENNER of Cumberland and Representatives: JAVNER of Chester, MASTRACCIO of Sanford, MATLACK of St. George, MEYER of Eliot, PERRY of Calais, PRINGLE of Windham, SUPICA of Bangor.

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 to Protect Maine's Consumers by Establishing an Abuse of Dominance Right of Action and Requiring Notification of Mergers"

(H.P. 1161) (L.D. 1815)

Sponsored by Representative MILLETT of Cape Elizabeth.

Cosponsored by President JACKSON of Aroostook and Representatives: GATTINE of Westbrook, MILLETT of Waterford, MOONEN of Portland, SHEEHAN of Biddeford, Speaker TALBOT ROSS of Portland, Senator: BENNETT of Oxford.

Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** suggested and ordered printed.

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

Sent for concurrence.

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Bill "An Act to Amend the Definition of 'Educational Institution' Under the Maine Human Rights Act to Include Single-sex Educational Institutions"

(H.P. 1165) (L.D. 1833)

Sponsored by Representative MOONEN of Portland.

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish an Officer on Tribal Relations (H.P. 1166) (L.D. 1834)

Sponsored by Speaker TALBOT ROSS of Portland.

Cosponsored by Senator BAILEY of York and Representatives: DANA of the Passamaquoddy Tribe, MOONEN of Portland, Senators: BENNETT of Oxford, CARNEY of Cumberland, President JACKSON of Aroostook.

Bill "An Act to Require the State to Notify Indian Tribes and Indian Nations When New Laws Are Enacted That Need to Be Certified"

(H.P. 1167) (L.D. 1835)

Sponsored by Speaker TALBOT ROSS of Portland.

Cosponsored by Senator BENNETT of Oxford and Representatives: DANA of the Passamaquoddy Tribe, FAULKINGHAM of Winter Harbor, MOONEN of Portland, RECKITT of South Portland, Senators: BAILEY of York, CARNEY of Cumberland.

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

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

Sent for concurrence.

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Resolve, Relating to the Employment of Minors

(H.P. 1163) (L.D. 1831)

Sponsored by Representative PERRY of Bangor.

Cosponsored by Representatives: BRADSTREET of Vassalboro, DANA of the Passamaquoddy Tribe, HASENFUS of Readfield, LANDRY of Farmington, RUSSELL of Verona Island.

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

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

Sent for concurrence.

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Bill "An Act to Reform the State's Administrative and Rule-making Procedures"

(H.P. 1172) (L.D. 1840)

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.

Resolve, to Provide for One Month of Free Passenger Rail Service in Maine

(H.P. 1159) (L.D. 1813)

Sponsored by Representative COLLINGS of Portland.

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

Resolve, to Name a Bridge in the Town of Bremen the Kitty Breskin Memorial Bridge

(H.P. 1175) (L.D. 1843)

Sponsored by Representative STOVER of Boothbay.

Cosponsored by Senator: RENEY of Lincoln.

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

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

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

Sent for concurrence.

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Bill "An Act to Amend a Circulator's Oath for Petitions and Nomination Papers by Including the Number of Signatures Collected"

(H.P. 1178) (L.D. 1846)

Sponsored by Representative BOYER of Poland.

Cosponsored by Senator BRAKEY of Androscoggin.

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.

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Bill "An Act to Support Emergency Housing Facility Construction, Renovation and Acquisition Statewide by Creating a Matching Grant Program"

(H.P. 1176) (L.D. 1844)

Sponsored by Representative ARFORD of Brunswick.

Cosponsored by Senator DAUGHTRY of Cumberland and Representatives: ANKELES of Brunswick, BRENNAN of Portland, CYRWAY of Albion, GATTINE of Westbrook, GOLEK of Harpswell, MORRIS of Turner, PERRY of Calais, Speaker TALBOT ROSS of Portland.

Joint Select Committee on **HOUSING** suggested and ordered printed.

**REFERRED** to the Joint Select Committee on **HOUSING** and ordered printed.

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 Speaker TALBOT ROSS of Portland, the following Joint Resolution: (H.P. 1179) (Cosponsored by Senator BEEBE-CENTER of Knox and Representatives: HASENFUS of Readfield, MATHIESON of Kittery, MILLIKEN of Blue Hill, Senator: LaFOUNTAIN of Kennebec)

**JOINT RESOLUTION RECOGNIZING APRIL 2023 AS SECOND CHANCE MONTH**

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

WHEREAS, redemption and second chances are American values; and

WHEREAS, almost 2,000,000 Americans are currently incarcerated; and

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

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

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

WHEREAS, as of 2023, approximately 1,650 individuals in Maine are incarcerated in a Department of Corrections facility; and

WHEREAS, the designation of April as Second Chance Month can contribute to increased public awareness about the "second prison," the need for closure for those who have paid their debts and opportunities for individuals, employers, congregations and communities to extend second chances; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to recognize April 2023 as Second Chance Month, and we urge citizens to observe this month through actions and programs that promote awareness of the "second prison" and provide closure for those who have paid their debts.

**READ and ADOPTED.**

Sent for concurrence.

On motion of Representative WHITE of Waterville, the following House Order: (H.O. 21)

ORDERED, that Representative Danny Edward Costain of Plymouth be excused Apr 13 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative W. Edward Crockett of Portland be excused Apr 13 and 18 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Gary A. Drinkwater of Milford be excused Apr 20 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Larry C. Dunphy of Embden be excused Apr 20 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Ann Fredericks of Sanford be excused Apr 20 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Lucas John Lanigan of Sanford be excused Apr 11, 12, 13, 18 and 20 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Melanie F. Sachs of Freeport be excused Apr 18 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Mark Walker of Naples be excused Apr 20 for personal reasons.

**READ and PASSED.**

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

**ENACTOR**

**Emergency Measure**

An Act to Increase the Handling Fee for Beverage Containers Reimbursed to Dealers and Redemption Centers

(S.P. 73) (L.D. 134)

(C. "A" S-34)

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. 111 voted in favor of the same and 7 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

**REPORTS OF COMMITTEE**

**Divided Reports**

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-31)** on Bill "An Act to Streamline Rulemaking for Revisions to Screening Levels for the Solid Waste Beneficial Use Program"

(S.P. 20) (L.D. 28)

Signed:

Senators:

BRENNER of Cumberland

CARNEY of Cumberland

LYFORD of Penobscot

Representatives:

GRAMLICH of Old Orchard Beach

BELL of Yarmouth

BRIDGEO of Augusta

CAMPBELL of Orrington

DOUDERA of Camden

HOBBS of Wells

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 "B" (S-32)** on same Bill.

Signed:

Representative:

O'NEIL of Saco

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-31).**

**READ.**

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

The Bill was **READ ONCE. Committee Amendment "A" (S-31)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-31)** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-28)** on Bill "An Act to Limit Public Access to or Dissemination of Electronic Citation Information"

(S.P. 15) (L.D. 23)

Signed:

Senators:

CARNEY of Cumberland  
BAILEY of York

Representatives:

MOONEN of Portland  
HAGGAN of Hampden  
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 Not to Pass** on same Bill.

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ANDREWS of Paris  
HENDERSON of Rumford

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (S-28)** Report.

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-28)**.

**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" (S-28)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-28)** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-30)** on Bill "An Act to Improve Access to Civil Legal Services" (EMERGENCY)

(S.P. 235) (L.D. 564)

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" (S-30)** Report.

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-30)**.

**READ.**

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

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

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

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

**ROLL CALL NO. 41**

YEA - Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, 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, 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, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Woodsome, Worth, Zager, Zeigler, Madam Speaker.



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

ABSENT - Abdi, Adams, Campbell, Dunphy, Galletta, Gifford, Lajoie, Montell, Sargent.

Yes, 80; No, 61; Absent, 9; Vacant, 1; Excused, 0.

80 having voted in the affirmative and 61 voted in the negative, 1 vacancy with 9 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-30)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-30)** in concurrence.

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Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act to Require a Person Receiving Unemployment Benefits to Attend Scheduled Interviews to Fulfill the Work Search Requirement" (S.P. 111) (L.D. 245)

Signed:

Senator:

TIPPING of Penobscot

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 to Pass as Amended by Committee Amendment "A" (S-37)** on same Bill.

Signed:

Senator:

POULIOT of Kennebec

Representatives:

BRADSTREET of Vassalboro

DRINKWATER of Milford

SOBOLESKI of Phillips

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

**READ.**

On motion of Representative ROEDER of Bangor, the Majority **Ought Not to Pass** Report was **ACCEPTED**.

On motion of Representative TERRY of Gorham, the House **RECONSIDERED** its action whereby the Majority **Ought Not to Pass** Report was **ACCEPTED**.

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

Representative **RUDNICKI**: Thank you, Madam Speaker. I rise in opposition to the pending motion. I have a very good friend of mine who is an owner of a home health care business.

And when you apply to a business, any business, it takes time for that business regardless. It takes time out of their day. And for somebody to be able to apply, take up their time and then still go and collect unemployment benefits on another business, it's just wrong. We have a tendency to just give and give and give money in this Body to anybody who comes before us and asks and, to me, unemployment benefits are paid for by the businesses. And if somebody comes in and applies to my friend's business, who is a home health care owner; that's something that we're in very desperate need of; and then to use their name on their unemployment forms that oh, I applied there but then when they're called back to do an interview or anything like that and then they just ghost them; and for those of you that don't know what that means, just ignore them; it's wrong.

And we have a vehicle here that could actually force people to actually keep the interview or at least call and cancel and not still get their benefits if they don't want to bother to do that. My friend had actually been calling the Department of Labor, sending a report to the Department of Labor whenever somebody didn't show up when they made an appointment or especially because they're using her name on their unemployment forms and she actually got an email and she forwarded me a copy of it, she actually got an email from the Department of Labor to tell her to stop doing that. Well, honestly, she's not going to stop doing it, she's going to continue to do it, but we have to take that in consideration. So, Madam Speaker, I request a roll call and follow my light.

The same Representative **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 Vassalboro, Representative Bradstreet.

Representative **BRADSTREET**: Thank you, Madam Speaker. I appreciate your indulgence this morning. Evidently, we have some glitches in our technology here, so, I appreciate that and I appreciate the other side of the aisle cooperating as well. I rise in opposition to the pending motion. I understand that the Bureau of Labor thinks they have this under control. However, we keep getting a lot of complaints from employers where they're holding interviews or expecting to hold interviews with people who are drawing unemployment benefits and they just don't show up. There seems to be too many of them to have it just happenstance. We think there's something within the system that needs to be fixed and we think the Department should be more rigorous in their efforts getting people back to work. Thank you, Madam Speaker.

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

Representative **HENDERSON**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I rise today in opposition to the motion of Ought Not to Pass for LD 245, "An Act to Require a Person Receiving Unemployment Benefits to Attend Scheduled Interviews to Fulfill the Work Search Requirement." This bill amends the employment security law to provide that an individual who refuses to appear for an employment interview scheduled with an employer for a suitable job opportunity is disqualified from receiving unemployment benefits. The bill also requires the Department of Labor, Bureau of Unemployment Compensation to establish an online portal for employees to report individuals who refuse to appear for scheduled employment interviews.

In my 22-plus year working career, I have been both an employee and an employer, at times holding two jobs, even at times, and I would say in my early 20s; oh, to be in my 20s again; working from 4:30 in the morning till 11:00 at night, getting up in the morning and starting the process all over again. I can promise you I could not sustain that working lifestyle where I stand today. I am currently employed as a support manager with a telecommunications company and help oversee our locations across Maine, New Hampshire and Vermont. Part of my role in the company is recruiting, onboarding and training new employees. In the past two years, we have seen a significant uptick in no-shows or ghosting interviews. Any decent employer or someone who is trying to build a team, we put a lot of care into carefully crafting interviews based on an applicant's specific qualifications and working career. At times, it can take a manager or a hiring manager in our company anywhere from 45 minutes to an hour and a half to carefully craft an interview. We have to ensure that we have proper staffing in our stores so on the sales floor when we're pulled away for an interview that could potentially last an hour or more depending on the organic flow of that interview, that our staff out front have proper support, oftentimes having to bring in either team leads or assistant managers. We do share employees across our locations.

So, an interview; for certain locations, mine specifically, and we are a retail location, it isn't just a simple thing that we do; it is time-consuming and it is costly and over the course of the last two to three years, that uptick, it has now become common knowledge that we have to schedule anywhere from six to eight interviews just to get one person to show up. We have changed our approach from just sending emails in responding to Indeed applicants, we've changed our approach to emailing, making a phone call, and if they have specified they have a cell phone, we also follow up with a text message. We keep track of every person that responds to us. We give them an opportunity to choose the date and time and we schedule around them, and they are still not showing up. This is a huge cost on our company, not to mention the mom-and-pop stores, the smaller retail locations within our State, and I would urge if we have a desire to see the people in Maine get back to work, we need to pass laws like this that would require them just to do the bare minimum, to show up at an interview and to show that they truly are interested in being employed before they could receive those benefits. Thank you.

The SPEAKER: The Chair recognizes the Representative from Fort Kent, Representative Theriault.

Representative **THERIAULT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. This should be a bipartisan bill that we should all support. Just last week, we had the pleasure of having you up in the County and small businesses are really struggling under the weight of the labor shortage. And I will say, in my neck of the woods, unemployment insurance is an important part of our economy, especially for those that have seasonal work. Right now, the folks that typically work in the woods are out of work and they're relying on unemployment and so we should hold to a certain high level, you know, some basic needs and basic asks for those that are using the unemployment system because there are those that do need the system and that are really helped by it, getting perhaps a couple months for them to get on their feet. But I can't go through any sort of employer, from restaurants to auto parts store, you name it, in my district that doesn't come up to me and say that this is a major issue and for the Department to say that they've got it under control is really a stretch. And so, I actually had a business owner who didn't support me in the

last election come up to me and they just couldn't wrap their head around why this wasn't going to get bipartisan support because it's something that the employer felt like if they were going to take four or five hours out of their schedule to be scheduling folks for interviews and 90% of them were missing, that there should be some sort of follow-up. And with the worker shortage, the future of small businesses are on the line here and we can't afford to make any more mistakes. We have to hold people accountable and we also have to protect the unemployment system for those that truly need it. Thank you.

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

Representative **ROEDER**: Thank you, Madam Speaker. Madam Speaker, I, myself, have been in the same situation that my colleagues from across the aisle have described in interviewing people that just don't show up. I wanted to mention a couple of facts that the Department of Labor brought to us because I hope it will ease everybody's mind about our unemployment system not being exploited. The Department of Labor and the Bureau of Unemployment has a system in place whereby employers can report people; whether they don't show up, just so that their business and their name is not being used as that tick box for; I did go on an interview today for folks on the unemployment. We heard that 314 people were reported on this tipline. Fifty-two of those 314 people were actually on unemployment and collecting. Two of those 52 had to do with missing interviews. So, it seems like we are trying to legislate good behavior from people rather than hold people on unemployment accountable. We have no way of knowing if an interviewee coming in to see us or who makes an appointment to come in for an interview is collecting unemployment. Many people are not. In fact, the majority, if we are to believe the Department of Labor's statistics. So, I am very sympathetic, especially to the folks that have to do what I did and try to hire people based on a bunch of people that just don't show up, but it doesn't seem to be a problem at this point. Thank you.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Rudnicki, and inquires to why she's rising.

Representative **RUDNICKI**: If I may rise one more time to speak, Madam Speaker, I'd like to read the email that the Department of Labor actually sent to a business.

The SPEAKER: The Member may proceed.

Representative **RUDNICKI**: A few key points to remember on a form that they expect people to fill out. A prospective employee must decline an actual offer of employment. Failing to show up in person or by phone for an interview is not a job refusal. Also, texting, leaving messages for prospective employees, even with a detailed offer, doesn't count. You must receive a response from the person. It can't be one-way communication. There's an exception for letters mailed via return receipt requested but I doubt you're going to those lengths in most situations. A bona fide offer of employment would include job title, rate of pay, location, schedule, job responsibilities, etcetera. The job must be sustainable for the prospective employee's experience, training, pay, distance from home, etcetera. Please use the attached form rather than sending the applicant's resume.

So, basically, they're saying don't bother us. 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. 42**

YEA - Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Jauch, Kessler, Kuhn, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, 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, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

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

ABSENT - Abdi, Adams, Dunphy, Galletta, Gifford, Lajoie, Montell, Sargent.

Yes, 77; No, 65; Absent, 8; Vacant, 1; Excused, 0.

77 having voted in the affirmative and 65 voted in the negative, 1 vacancy with 8 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Provide for the Ethical Election of Constitutional Officers by Restricting Certain Campaign Contributions"

(S.P. 238) (L.D. 567)

Signed:

Senator:

HICKMAN of Kennebec

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-41)** on same Bill.

Signed:

Senator:

TIMBERLAKE of Androscoggin

Representatives:

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

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

**READ.**

Representative SUPICA of Bangor moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative RUDNICKI of Fairfield **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: 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. 43**

YEA - Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, 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, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

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

ABSENT - Abdi, Campbell, Dunphy, Galletta, Gifford, Lajoie, Sargent, Soboleski.

Yes, 79; No, 63; Absent, 8; Vacant, 1; Excused, 0.

79 having voted in the affirmative and 63 voted in the negative, 1 vacancy with 8 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-63)** on Resolve, Directing the Department of Education, Maine School Safety Center to Convene a Stakeholder Group to Develop Best Practices for Lockdown Drills and Allowing Parents to Opt Out of Lockdown Drills for Their Children

(H.P. 294) (L.D. 477)

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 Resolve.

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. There's really no need for this law. This is something that local districts are very capable of handling and they can determine their own policies in their own regional areas. And we can't be dealing with a one-size-fits-all. Something in an urban area is going to; they'll probably handle things differently than the more rural areas. So, we also don't need a stakeholder group that's going to determine what schools can do that they can already do now if this is such a pressing issue. So, I oppose this motion and I ask that you follow my light. Thank you.

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

Representative **MILLETT**: Thank you, Madam Speaker. Just a point of clarity. There is nothing in this bill that mandates our school districts to do anything. It is simply to bring people together to talk about best practices and make those best practices available for our communities to decide to do what they would like. Thank you, Madam Speaker.

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

Representative **UNDERWOOD**: Thank you, Madam Speaker. This is local control, not the State's responsibility. Again, I agree with the Good Representative from Alfred. There's no need for this. This is another group getting together at taxpayers' expense and it's not helpful. 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. 44**

YEA - Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Cray, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jackson, 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, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, Williams, Worth, Zager, Zeigler, Madam Speaker.

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

ABSENT - Abdi, Dunphy, Galletta, Gifford, Hymes, Lajoie, Sargent, Theriault.

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 to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-63)** 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-63)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Clarify the Requirements Regarding Fingerprinting Law Enforcement Officers in Schools"

(H.P. 472) (L.D. 703)

Signed:

Senators:

RAFFERTY of York

LIBBY of Cumberland

PIERCE of Cumberland

Representatives:

BRENNAN of Portland

BAGSHAW of Windham

DODGE of Belfast

LYMAN of Livermore Falls

MILLETT of Cape Elizabeth

MURPHY of Scarborough

SAMPSON of Alfred

SARGENT of York

WORTH of Ellsworth

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

Signed:

Representative:

POLEWARCZYK of Wiscasset

**READ.**

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

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act to Create Equal Opportunity Access to Clean Energy by Removing the 100-megawatt Limit on Clean Energy Sources" (H.P. 399) (L.D. 622)

Signed:

Senators:

LAWRENCE of York  
GROHOSKI of Hancock

Representatives:

ZEIGLER of Montville  
BOYLE of Gorham  
GEIGER of Rockland  
KESSLER of South Portland  
RUNTE of York  
WARREN of Scarborough

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

Signed:

Senator:

HARRINGTON of York

Representatives:

BABIN of Fort Fairfield  
DUNPHY of Embden  
FOSTER of Dexter  
PAUL of Winterport

**READ.**

Representative ZEIGLER of Montville moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The SPEAKER: The Chair recognizes the Representative from Montville, Representative Zeigler.

Representative **ZEIGLER**: This bill would like to remove a 100-megawatt limit on clean energy sources. If that were to happen, then it would dampen renewable energy projects and their needed capital in our State while sending financial support to larger projects in other states and Canada. Thank you.

Representative FOSTER of Dexter **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 Monticello, Representative Ardell.

Representative **ARDELL**: Thank you, Madam Speaker. I'd like to speak to the motion. My name is Donald Ardell, representing District 6, and I rise today in opposition of the Ought Not to Pass motion for LD 622, "An Act to Create Equal Opportunity Access to Clean Energy by Removing the 100-megawatt Limit on Clean Energy Sources."

Maine's energy policy, Title 35-A, adopted in 1999 reads, quote, Policy: In order to ensure an adequate and reliable supply of energy for Maine residents and to encourage the use of renewable, efficient and indigenous resources, it is the policy of this State to encourage the generation of electricity from renewable and efficient sources and to diversify electricity production on which residents of this State rely in a manner consistent with this section.

The Statute continues to state Maine's energy goal to be 80% renewable energy by 2030 and 100% by 2050 and goes on to define renewable capacity resource as a source of electrical generation that relies on a list of six sources whose power production capacity does not exceed 100 megawatts; fuel cells, tidal power, geothermal installations, hydroelectric generators and biomass generators. Subsection 3210, amended in 2019,

however, designates wind and solar installations as not subject to the 100-megawatt limit to be considered as renewable capacity resources.

The intent of past legislators was clearly to limit hydropower and other competing sources of energy generation and to prioritize solar and wind, apparently to diversify Mainer's energy sources. However, is diversity in sources of electrical generation for the sake of diversity best for Maine and Mainer's? Predictably, solar power installations that are only fueled by solar energy during the day are unable to produce electricity at night. Were Maine a location for high demand for home and business cooling during the day as southern states are, I would agree that solar electricity generation is a wise energy choice. But Maine is far more reliant on winter heating than summer cooling. On winter nights, when Mainer's home heating needs are the highest, solar is taking the night off. Wind power generation is similarly inconsistent and yet Mainer's electricity demand continues regardless of whether the sun is shining or if the wind is blowing. By way of example, on the coldest winter night of 2022 in Aroostook County, the overnight low air temperature was negative 35 degrees Fahrenheit and the wind speed was zero. Neither the sun was shining nor the wind blowing and yet Mainer's winter home heating energy needs were the highest. Ironically, when wind and solar are not producing, backup generators powered by natural gas or diesel are used to make up the deficit, which means Maine's energy backup system is the very source of energy we vowed to leave behind. If wind and solar are continued to be prioritized, unless a policy change is made, Maine will be able to reach neither its 2030 goal of 80% nor its 2050 goal of 100% of renewable energy and natural gas and diesel generation backup will continue to be relied on. By disincentivizing the six other renewable capacity resources, we are in fact incentivizing the use of natural gas and diesel generators. Hydropower, however, could have been running that cold winter night, capturing kinetic energy through water flow day and night every night. Hydropower is a source of energy that is inexpensive, clean and available and, best of all, hydropower needs no natural gas or diesel backup.

To return to Maine's stated energy policy, economy to the consumer is not mentioned and apparently not considered. Maine's seniors, veterans and disabled living on fixed incomes, pensions and Social Security are reliant on our sound decision-making as a legislative Body. In closing, I'd like to suggest Maine's energy policy, one that emphasizes an adequate and reliable supply for Maine's residents and that encourages the use of renewable, efficient and indigenous resources while prioritizing wind and solar, is in fact creating the structure in which the least reliable sources of power are creating an increased need for backup natural gas and diesel power generation. Our policy is failing but hydropower can attain our goals. Thank you for your careful consideration of the bill. I respectfully ask this Body to vote with me and Mainer's truly interested in clean energy a vote of no on the Ought Not to Pass motion today. Thank you.

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

Representative **FAULKINGHAM**: Thank you, Madam Speaker. I'll try to keep my remarks short. I appreciate the remarks from my good colleague from Monticello and I would also like to thank the Representative from Montville for his answer to why there's opposition to this bill because the reason I rise is because this is a truly perplexing question for me. I have had great difficulty understanding why there is opposition to this bill and this is one of those things where we should all agree. Regardless of your opinions on climate change, how it's caused,

any of that, there are issues where it seems like we could agree and hydro is one of those issues. Hydro is clean, renewable, carbon-free, cheap energy. It can be supported by everyone, no matter what your opinions are on climate change and its causes. If we have determined that hydropower is renewable up to 100 megawatts, why all of a sudden at 101 megawatts is it not clean energy anymore? This makes absolutely no sense and today, I hear for the first time a reason for why there's opposition to this; because it comes from Canada. So, if all the energy in Maine was diesel-powered, fossil fuel-powered and Canada had all kinds of clean energy, we wouldn't take the clean energy from Canada because it's from Canada? That makes no sense, Madam Speaker. Canada has an abundance of hydro energy. That is true. Why we would want to keep it out of Maine defies logic. This is such a simple remedy and it wouldn't cure all of our energy problems but there's no reason to keep this cap in place. I urge the Members to vote Ought Not to Pass on this motion.

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

Representative **THORNE**: Thank you, Madam Speaker. I rise in opposition to the pending motion on the floor and would just remind Madam Speaker and the Members of this House that most of our windmill energy comes from Canada. Thank you.

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

Representative **ANDREWS**: Thank you, Madam Speaker. I'd just like to point out one of the reasons this bill is being opposed is because it creates an artificial monopoly for wind and solar in this State. Thank you.

The SPEAKER: The Chair recognizes the Representative from Houlton, Representative Swallow.

Representative **SWALLOW**: Thank you, Madam Speaker. I also oppose this motion. I come from Houlton, which has its own separate electric company; Houlton Water Company and Electric. We have the cheapest power in the State of Maine. It now all comes from Canada, primarily hydroelectric. It's been a great asset to our community and the surrounding communities it serves. We are no longer on the grid, we no longer have to pay those fees over the grid and our electric bills are generally half to a third of what the rest of the State is paying. 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. 45**

YEA - Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenus, Hobbs, Jauch, Kessler, Kuhn, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Poirier, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, 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, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Dill, Drinkwater, Ducharme, Faulkingham, Foster, Fredericks, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hepler, Jackson, Javner, Landry, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Moriarty, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Polewarczyk, Pomerleau, Pringle, Quint,

Rudnicki, Sampson, Schmersal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome, Worth.

ABSENT - Abdi, Campbell, Dunphy, Galletta, Gifford, Hymes, Lajoie, Sargent.

Yes, 75; No, 67; Absent, 8; Vacant, 1; Excused, 0.

75 having voted in the affirmative and 67 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.

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Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Resolve, to Provide Support for an Early Intervention and Preschool Child Care Services Program in Kennebec County

(H.P. 509) (L.D. 820)

Signed:

Senators:

BALDACCI of Penobscot  
INGWERSEN of York  
MOORE of Washington

Representatives:

MEYER of Eliot  
CRAVEN of Lewiston  
FREDERICKS of Sanford  
GRAHAM of North Yarmouth  
GRIFFIN of Levant  
JAVNER of Chester  
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" (H-68)** on same Resolve.

Signed:

Representative:

LEMELIN of Chelsea

**READ.**

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

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Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought Not to Pass** on Resolve, to Increase the Reimbursement Rate for Foster Parents by 20 Percent (EMERGENCY)

(H.P. 554) (L.D. 898)

Signed:

Senators:

INGWERSEN of York  
MOORE of Washington

Representatives:

MEYER of Eliot  
CRAVEN of Lewiston  
FREDERICKS of Sanford  
GRAHAM of North Yarmouth  
GRIFFIN of Levant  
JAVNER of Chester  
LEMELIN of Chelsea  
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" (H-67)** on same Resolve.

Signed:  
Senator:

BALDACCI of Penobscot

**READ.**

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

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Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-70)** on Bill "An Act to Promote the Use of Free Annual Wellness Visits by Ensuring Proper Medical Billing" (H.P. 414) (L.D. 637)

Signed:  
Senators:

BAILEY of York  
RENY of Lincoln

Representatives:

PERRY of Calais  
ARFORD of Brunswick  
CLUCHEY of Bowdoinham  
CYRWAY of Albion  
MASTRACCIO of Sanford  
MATHIESON of Kittery  
NUTTING of Oakland  
PRINGLE of Windham

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

Signed:  
Senator:

BRAKEY of Androscoggin

Representatives:

MORRIS of Turner  
SWALLOW of Houlton

**READ.**

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-70)** 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-70)** and sent for concurrence.

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Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass** on Bill "An Act to Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by the City of Rockland" (EMERGENCY) (H.P. 573) (L.D. 917)

Signed:  
Senators:

NANGLE of Cumberland  
BALDACCI of Penobscot

Representatives:

STOVER of Boothbay  
ABDI of Lewiston  
COPELAND of Saco  
DHALAC of South Portland  
GREENWOOD of Wales  
PAULHUS of Bath  
POMERLEAU of Standish  
RISEMAN of Harrison

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

Signed:  
Senator:

LYFORD of Penobscot

Representatives:

ADAMS of Lebanon  
UNDERWOOD of Presque Isle

**READ.**

Representative STOVER of Boothbay moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

On motion of Representative TERRY of Gorham, **TABLED** pending the motion of Representative STOVER of Boothbay to **ACCEPT** the Majority **Ought to Pass** Report and later today assigned.

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Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-73)** on Bill "An Act to Create Parity in the Taxation of Medicine" (H.P. 346) (L.D. 541)

Signed:  
Senators:

GROHOSKI of Hancock  
CHIPMAN of Cumberland

Representatives:

PERRY of Bangor  
CROCKETT of Portland  
HASENFUS of Readfield  
MATLACK of St. George  
QUINT of Hodgdon  
RANA of Bangor  
RUDNICKI of Fairfield

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

Signed:  
Senator:

LIBBY of Cumberland

Representative:

CARMICHAEL of Greenbush

**READ.**

On motion of Representative PERRY of Bangor, **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 Reinstate Plurality Voting by Repealing the Ranked-choice Voting Laws"

(H.P. 674) (L.D. 1038)

Signed:

Senators:

HICKMAN of Kennebec  
BRENNER of Cumberland

Representatives:

SUPICA of Bangor  
BOYER of Poland  
COLLINGS of Portland  
MALON of Biddeford  
MONTELL of Gardiner  
RIELLY of Westbrook  
RISEMAN of Harrison

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

Signed:

Senator:

TIMBERLAKE of Androscoggin

Representative:

RUDNICKI of Fairfield

**READ.**

Representative SUPICA of Bangor moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The same Representative **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 Wiscasset, Representative Polewarczyk.

Representative **POLEWARCZYK**: Madam Speaker, I rise in opposition to the motion.

I'm finding this whole thing to be an incredible adventure. The adventure actually started during my campaign when I began knocking on doors and one of the first doors I knocked on, Madam Speaker, was a gentleman that was very pleasant to talk with, very much in favor of ranked-choice voting. I talked with him for a while, went on to the next door and, although I had never asked any person whose door I knocked on where they thought, they brought up the subject. And had I known at that time that I'd eventually be in this Chamber, I would've kept track of the numbers. I would love to be able to be here today and say it was 2:1, 5:1 or 50:1. I can't do that because I didn't know I'd be here. But what I could say is that of all the people I talked with, there was only one voter who was in favor of ranked-choice voting. Back in the 1800s, Maine actually determined the results of its elections based on a majority vote. In those days, if there was no majority, you held another election and a third election and a fourth election. The end result was that people lost a great deal of confidence in our election process. In 1848, the Seventh Amendment to the Constitution of Maine replaced the words 'majority' with the words the 'greatest number.' And from that point on, for 168 years, plurality became the means of us determining the results of our elections.

In 2016, we had the citizens' initiative. It was a referendum that was passed on November 8, 2016, and the voters decided 52% to 48% in favor of ranked-choice voting. The Maine Supreme Court was asked to provide an opinion on the constitutionality of the referendum and on May 23, 2017, responded that ranked-choice voting conflicts with the Maine Constitution for Governor, State Representative and State

Senator. As a result of that decision, ranked-choice voting became applicable for primary elections, the Presidential election and for Federal Representatives and Senators. So, here we are today with a mix; plurality deciding elections in some cases and ranked-choice voting deciding in other elections. The objective of this bill was to specify that all elections are to be decided by plurality. Not only the Governor, Representatives and State Senators as required by the Constitution but also primary elections, elections for the President and elections for the Federal Representatives and Senators.

As I went through the campaign, I found an increasing number of my constituents complain about ranked-choice voting. They view it as a complicated system, they're not sure where it applies and where it does not apply, many are not sure how to complete the form, many don't want other candidates but feel an obligation to fill it in for fear that their vote will be disregarded, and many believe it violates one person, one vote. It is especially divisive in the case where the person with the most votes loses as a result of applying second choices and becomes an increasing question of the validity of the election. Plurality had been accepted and has worked for 168 years. It appears like we're trying to repeat history once again. Our history has shown that majority voting has led to a lack of confidence in our elections. That lack of confidence resulted in the change to plurality voting by the Seventh Amendment. Are we repeating history here? Having a voting system where plurality is used in some elections and ranked-choice voting in others decreases the confidence our constituents have in our elections. I urge my colleagues to vote in opposition to the 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. 46**

**YEA** - Ankeles, Arford, Bell, Boyer, 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, 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, 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, Bradstreet, Carlow, Carmichael, Collamore, Cray, Cyrway, Davis, Drinkwater, Ducharme, Faulkingham, Foster, Fredericks, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmersal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

**ABSENT** - Abdi, Campbell, Costain, Dunphy, Eaton, Galletta, Gifford, Hymes, Lajoie, Sargent.

Yes, 80; No, 60; Absent, 10; Vacant, 1; Excused, 0.

80 having voted in the affirmative and 60 voted in the negative, 1 vacancy with 10 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.



**ENACTORS**

**Emergency Measure**

An Act to Provide Funding for Drought Relief and Other Programs Benefiting Maine Farmers

(S.P. 136) (L.D. 315)  
(C. "A" S-27)

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. 121 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**Acts**

An Act to Amend the Laws Governing Severance Pay to Cover More Types of Employers and Include More Workers

(H.P. 16) (L.D. 12)  
(C. "A" H-35)

An Act to Amend the Authority of the Public Utilities Commission Regarding Access to Information in Proceedings Involving Special Rate Contracts

(H.P. 118) (L.D. 177)  
(C. "A" H-36)

An Act to Improve Road Safety for Waste and Recycling Collection Employees

(H.P. 333) (L.D. 528)

An Act to Amend the Laws Governing Working Waterfront Covenants

(H.P. 369) (L.D. 574)  
(C. "A" H-34)

An Act to Increase the Allowable Width of a Snowplow

(H.P. 456) (L.D. 687)

An Act to Support the Maintenance, Preservation and Promotion of Historic Sites

(S.P. 350) (L.D. 791)  
(C. "A" S-26)

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.

**Resolves**

Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

(H.P. 10) (L.D. 6)  
(C. "A" H-33)

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

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

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

An Act to Increase the Statutory Fee for Defensive Driving Courses

(S.P. 22) (L.D. 30)

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

On motion of Representative WILLIAMS of Bar Harbor, was **SET ASIDE**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED**.

The same Representative **PRESENTED House Amendment "A" (H-75)**, which was **READ** by the Clerk and **ADOPTED**.

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by House Amendment "A" (H-75)** in **NON-CONCURRENCE** and sent for concurrence.

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

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

**UNFINISHED BUSINESS**

The following matter, in the consideration of which the House was engaged at the time of adjournment Tuesday, April 25, 2023, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

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)

(Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** suggested)

TABLED - April 25, 2023 (Till Later Today) by Representative PLUECKER of Warren.

PENDING - **REFERENCE**.

Subsequently, the Bill was **REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY**, ordered printed and sent for concurrence.

**TABLED AND TODAY ASSIGNED**

The Chair laid before the House the following item which was **TABLED** and today assigned:

Joint Order, Propounding Questions to the Supreme Judicial Court Regarding the Processing of Citizen-initiated Legislation

(H.P. 1158)

TABLED - April 25, 2023 by Speaker TALBOT ROSS of Portland.

(Pursuant to House Rule 513)

PENDING - **PASSAGE**.

On motion of Representative TERRY of Gorham, **TABLED** pending **PASSAGE** and later today assigned.

**SENATE PAPERS**

Bill "An Act to Support Outdoor Education by Establishing the Outdoor School for All Maine Students Program"

(S.P. 732) (L.D. 1817)

Bill "An Act to Respect and Protect the Right to Food"

(S.P. 739) (L.D. 1823)

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

**REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in concurrence.

Bill "An Act to Expand Access to Good Jobs with Better Career and Technical Education"

(S.P. 735) (L.D. 1820)

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.

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Bill "An Act Regarding Enhanced 9-1-1 Public Safety Answering Points" (EMERGENCY)

(S.P. 744) (L.D. 1828)

Bill "An Act to Advance Maine's Clean Energy Goals"

(S.P. 746) (L.D. 1830)

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.

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Bill "An Act to Prevent Closures and Ensure Sustainability of Nursing Facilities, Private Nonmedical Institutions and Residential Care Facilities by Removing So-called Budget Neutrality"

(S.P. 743) (L.D. 1827)

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.

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Bill "An Act to Reduce Prescription Drug Costs by Requiring Reference-based Pricing"

(S.P. 745) (L.D. 1829)

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.

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Bill "An Act to Designate Deer Wintering Areas Under the Jurisdiction of the Bureau of Parks and Lands"

(S.P. 742) (L.D. 1826)

Came from the Senate, **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** and ordered printed.

**REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE** in concurrence.

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Resolve, to Establish the Commission to Study the Constitution of Maine

(S.P. 740) (L.D. 1824)

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 Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes by the City of Bath" (EMERGENCY)

(S.P. 736) (L.D. 1821)

Bill "An Act to Clarify Licensing Jurisdiction for Manufactured Housing Communities"

(S.P. 741) (L.D. 1825)

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 Regarding Port Facilities Relating to Offshore Wind Power Projects"

(S.P. 733) (L.D. 1818)

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

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 Amend the Specialty License Plate Laws and Extend the Moratorium on Approval of Specialty License Plates and Remove the Authority of Municipalities to Issue Driver's Licenses" (EMERGENCY)

(S.P. 738) (L.D. 1822)

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 Create the Maine Medical Cannabis Advisory Commission and the Medical Cannabis Alternative Health Board"

(S.P. 734) (L.D. 1819)

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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The following Joint Order: (S.P. 737)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, May 2, 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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Bill "An Act to Ensure Fair and Timely Payment in the Harvesting of Forest Products"

(S.P. 750) (L.D. 1849)

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

**REFERRED** to the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** in concurrence.

Bill "An Act Relating to Energy Storage and the State's Energy Goals"

(S.P. 751) (L.D. 1850)

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.

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Bill "An Act to Modify the Visual Impact Standards for Offshore Wind Port Development"

(S.P. 748) (L.D. 1847)

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.

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Resolve, to Designate the Route 15 Bridge Located in the Town of Kenduskeag the William S. Pullen Bridge (EMERGENCY)

(S.P. 749) (L.D. 1848)

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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The following Joint Order: (S.P. 747)

**ORDERED**, the House concurring, that a joint standing committee or joint select committee of the 131st Legislature that receives a report pursuant to a law or order may submit a bill based on that report to the First Special Session of the 131st Legislature.

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

**READ** and **PASSED** in concurrence.

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

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

Representative **THORNE**: Thank you, Madam Speaker. I just wanted to, I think, speak on the record?

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

Representative **THORNE**: I wanted to let everybody know if you did not have an opportunity, I have a Joint Resolution recognizing May as Military Appreciation Month that is in the Speaker's Office if you would like to sign on to that. I welcome that. Thank you.

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On motion of Representative KUHN of Falmouth, the House adjourned at 1:34 p.m., until 10:00 a.m., Tuesday, May 2, 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. 737) and in honor and lasting tribute to Mary Cecelia Perry of Veazie, Mary T. Honan of Falmouth and Katharine Kimball Martin-Savage of Wiscasset.