

MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE
FIRST SPECIAL SESSION
12th Legislative Day
Thursday, May 4, 2023

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

Prayer by Pastor Michael Rhyne, Redeemer Lutheran Church, Bangor.

National Anthem by Rochelle Stewart, Norridgewock.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

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

SENATE PAPERS

The following Joint Resolution: (S.P. 752)

JOINT RESOLUTION RECOGNIZING MAY 2023

AS MAINE TREATMENT AND RECOVERY COURT MONTH

WHEREAS, treatment and recovery courts nationwide are the cornerstone of justice reform and are recognized as the most successful justice system intervention in our nation's history; and

WHEREAS, Maine treatment and recovery courts have been restoring lives and families and increasing public health and safety for more than 2 decades; and

WHEREAS, Maine now has 14 treatment and recovery courts, including 8 drug treatment and recovery courts, formerly known as adult drug treatment courts, 2 veterans treatment courts, 3 family recovery courts and one co-occurring disorder court; and

WHEREAS, Maine treatment and recovery courts have served more than 2,000 individuals, indirectly benefiting tens of thousands of Maine families, employers and communities; and

WHEREAS, treatment and recovery courts have substantially lowered the conviction recidivism rate of graduates to 6% compared to 41% of people with comparable characteristics and criminal records who did not attend a treatment and recovery court; and

WHEREAS, Maine treatment and recovery courts significantly improve substance use disorder treatment outcomes and substantially reduce addiction and related crime and do so at less expense than any other criminal justice strategy in Maine's history; and

WHEREAS, Maine treatment and recovery courts save an average of \$16,232 for every individual served while in the treatment court, significantly more than the national average of \$6,000 per individual; and

WHEREAS, Maine treatment and recovery courts improve education, employment, housing and financial stability, promote family reunification, reduce foster care placements and increase the rate of mothers delivering babies who are fully drug free; and

WHEREAS, Maine treatment and recovery courts facilitate community-wide partnerships, bridging public safety and public health; and

WHEREAS, the success of treatment and recovery courts is the result of dedicated collaborative efforts and partnership of the following: the Judicial Branch, Maine Pretrial Services, Inc., the Attorney General and District Attorneys, the Maine Commission on Indigent Legal Services, the Department of Corrections, various county sheriff's offices, the Department of Health and Human Services, the Governor's Director of Opioid

Response, Maine Behavioral Healthcare, Aroostook Mental Health Services, Inc., Wellspring, Inc., Recovery Connections of Maine, the Community Caring Collaborative and the Co-Occurring Collaborative Serving Maine, as well as a multitude of recovery and sober living homes, independent treatment providers and physicians and recovery support organizations; 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 2023 as Maine Treatment and Recovery Court Month in recognition of the efforts of all professionals and participants who make our treatment and recovery courts work, and of the significant contribution our treatment and recovery courts have made and continue to make in the fight against substance use disorder, in helping our citizens in their recovery and in restoring hope.

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

Non-Concurrent Matter

Bill "An Act to Protect Maine Taxpayers by Requiring a Person to Be a United States Citizen to Receive General Assistance Benefits and to Ensure Municipal Compliance with Federal Immigration Laws"

(H.P. 437) (L.D. 668)

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** in the House on May 2, 2023.

Came from the Senate **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** in **NON-CONCURRENCE**.

Representative GREENWOOD of Wales moved that the House **INSIST** and **ASK** for a **COMMITTEE OF CONFERENCE**.

Representative TERRY of Gorham **REQUESTED** a roll call on the motion to **INSIST** and **ASK** for a **COMMITTEE OF CONFERENCE**.

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

The **SPEAKER**: The Chair recognizes the Representative from Wales, Representative Greenwood.

Representative **GREENWOOD**: Thank you, Madam Speaker. Madam Speaker, I truly believe that this Bill needs to have a hearing. I truly believe it belongs in the State and Local Government Committee. And my fear is that if we don't have a Committee of Conference then the Bill may die in non-concurrence. So, I would ask my colleagues to at least consider a Committee of Conference and vote for the pending motion. Thank you.

The **SPEAKER**: A roll call has been ordered. The pending question before the House is to Insist and Ask for a Committee of Conference. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 47

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

NAY - Abdi, 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, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Moonen, Moriarty, Murphy, O'Connell, Osher, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Madam Speaker.

ABSENT - Bradstreet, Carlow, Galletta, Haggan, Hepler, Lajoie, Lanigan, Montell, O'Neil, Paulhus, Zeigler.

Yes, 63; No, 76; Absent, 11; Vacant, 1; Excused, 0.

63 having voted in the affirmative and 76 voted in the negative, 1 vacancy with 11 being absent, and accordingly the motion to **INSIST** and **ASK** for a **COMMITTEE OF CONFERENCE FAILED**.

Representative **ANDREWS**: Point of Order.

The **SPEAKER**: The Chair recognizes the Representative from Paris, Representative Andrews, and inquires why he rises.

Representative **ANDREWS**: May I pose a question to the Chair?

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

Representative **ANDREWS**: I'm curious if we need to do a quorum call before voting on anything, just procedurally.

The **SPEAKER**: The Chair would advise the Member that a roll call is a procedural motion.

Subsequently, Representative **GREENWOOD** of Wales moved that the House **RECEDE AND CONCUR**.

Representative **TERRY** of Gorham **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

The **SPEAKER**: The Chair recognizes the Representative from Wales, Representative Greenwood.

Representative **GREENWOOD**: Thank you, Madam Speaker. In looking at the non-concurrent matter, it comes from the Senate being referred to the Committee on Health and Human Services in non-concurrence. A recede and concur would actually give this Bill a hearing, which I believe is the intent of everybody's proposed legislation. So, I would ask the Members to follow my light and that we recede and concur to at least give the Bill a public hearing. Thank you, Madam Speaker.

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

ROLL CALL NO. 48

YEA - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Campbell, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Dill, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Hall, Henderson, Hymes, Jackson, Javner, 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.

NAY - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, 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, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Madam Speaker.

ABSENT - Bradstreet, Carlow, Galletta, Haggan, Hepler, Lajoie, Lanigan, Montell, Paulhus, Zeigler.

Yes, 63; No, 77; Absent, 10; Vacant, 1; Excused, 0.

63 having voted in the affirmative and 77 voted in the negative, 1 vacancy with 10 being absent, and accordingly the motion to **RECEDE** and **CONCUR FAILED**.

Subsequently, the House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act to Amend the Opioid Education Requirements" (H.P. 838) (L.D. 1323)

Majority (9) **OUGHT TO PASS** Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED** in the House on May 2, 2023.

Came from the Senate with the Minority (3) **OUGHT NOT TO PASS** Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

COMMUNICATIONS

The Following Communication: (H.C. 157)

STATE OF MAINE

131ST MAINE LEGISLATURE

April 20, 2023

Major General Douglas A. Farnham
Adjutant General, Maine National Guard
33 State House Station
Augusta, Maine 04333

Dear General Farnham:

We are pleased to invite you to address a Joint Session of the 131st Maine Legislature on Tuesday, May 9, 2023 at 10:45 a.m. concerning matters of defense, veterans' services, emergency management and any other matters that you may care to bring to our attention.

We look forward to seeing you then.

Sincerely,

S/Troy D. Jackson

President of the Senate

S/Rachel Talbot Ross

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 158)

**STATE OF MAINE
131ST MAINE LEGISLATURE**

April 20, 2023

The Honorable Janet T. Mills

Governor, State of Maine

#1 State House Station

Augusta, Maine 04333

Dear Governor Mills:

We are pleased to invite you to a Joint Session of the 131st Maine Legislature on Tuesday, May 9, 2023, at 10:45 a.m. for the State of Defense, Veterans' Services, and Emergency Management Address in the House Chamber.

We look forward to hearing from you.

Sincerely,

S/Troy D. Jackson

President of the Senate

S/Rachel Talbot Ross

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 155)

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

May 4, 2023

Honorable Rachel Talbot Ross

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Talbot Ross:

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

Criminal Justice and Public Safety

L.D. 1057 An Act to Promote Consumer Protections in the Residential Building Sector by Requiring Contractors and Subcontractors to Supply Evidence of Insurance

L.D. 1124 An Act Regarding Certification Credentials for the Office of Sheriff

L.D. 1235 An Act to Provide Compensation to and to Limit Work Hours of Jail Employees

L.D. 1509 An Act to Amend Certain Provisions of Maine's Drug Laws

Energy, Utilities and Technology

L.D. 43 An Act to Reduce the Cost of Electricity by Removing the 100-megawatt Limit on Renewable Resources of Energy

L.D. 437 An Act to Eliminate the Repeal Provision on Waste-to-energy Renewable Energy Credits

L.D. 965 An Act to Subsidize Hydroelectric Power

L.D. 1175 An Act to Provide for the Review and Uniform Application of All Transmission and Distribution Utility Rates

L.D. 1379 An Act to Combat Unwanted Telephone Solicitations

L.D. 1489 Resolve, to Capitalize on Opportunities from Newly Revised Federal Renewable Fuels Standards by Studying the Environmental and Economic Benefits of Electric and Steam Generation Facilities Powered by Biomass

Health and Human Services

L.D. 954 An Act to Improve Indoor Air Quality at Child Care Facilities

L.D. 1037 An Act to Fund Competitive Wages for Direct Support Professionals for Persons with Disabilities

L.D. 1238 An Act to Require Reporting on the Percentage of Approved Care Being Delivered to Individuals

L.D. 1250 An Act Regarding Paying Providers Sufficiently, Maintaining Short Waiting Lists and Creating a Cause of Action for Aggrieved Persons in the System of Care for Clients with Intellectual Disabilities or Autism

L.D. 1485 An Act to Provide Funding for Hospital Security in Aroostook County

Health Coverage, Insurance and Financial Services

L.D. 420 An Act to Fund a Health Program for Medical Professionals

L.D. 1460 An Act to Amend the Laws Governing Certificates of Deposit

L.D. 1541 An Act to Amend the Laws Relating to the Certificate of Need

Taxation

L.D. 641 An Act to Combat Hunger by Creating an Income Tax Credit for Businesses Engaged in Food Production for Donations to Qualified Organizations

L.D. 1135 An Act to Ensure that Carbon Credits Can Be Sold on Forest Land Enrolled in the Maine Tree Growth Tax Law

L.D. 1176 An Act to Create Municipal Cannabis Revenue Sharing

Sincerely,

S/Robert B. Hunt

Clerk of the House

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 156)

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

May 4, 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, Senator Keim of Oxford, to report the following "Leave to Withdraw:"

L.D. 1078 An Act to Increase the Number of Recovery Beds in the State

Sincerely,

S/Robert B. Hunt

Clerk of the House

READ and with accompanying papers ORDERED PLACED ON FILE.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act to Make Student Transfer Agreements Renew Automatically Except in Certain Circumstances"

(H.P. 1213) (L.D. 1892)

Sponsored by Representative HASENFUS of Readfield.

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

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

Sent for concurrence.

Bill "An Act to Support Maine Businesses Through a Child Care Tax Credit and a Pass-through Entity Tax"

(H.P. 1212) (L.D. 1891)

Sponsored by Representative TERRY of Gorham.

Cosponsored by President JACKSON of Aroostook and Representatives: CLOUTIER of Lewiston, DUCHARME of Madison, EATON of Deer Isle, MILLETT of Waterford, MILLIKEN of Blue Hill, PERRY of Bangor, SACHS of Freeport.

Bill "An Act to Allow a Municipality to Impose a Fee on Short-term Rentals for the Benefit of That Municipality"

(H.P. 1214) (L.D. 1893)

Sponsored by Representative STROUT of Harrington.

Cosponsored by Representatives: COLLAMORE of Pittsfield, GUERRETTE of Caribou, RUDNICKI of Fairfield.

Bill "An Act to Establish a Home Heating Income Tax Deduction"

(H.P. 1215) (L.D. 1894)

Sponsored by Representative BOYER of Poland.

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

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

Sent for concurrence.

The **SPEAKER**: The Chair recognizes the Representative from Fairfield, Representative Rudnicki, who wishes to address the House on the record.

Representative **RUDNICKI**: Madam Speaker, I'm a little concerned right now. We just voted not to reference a bill to Committee and then we continue on and reference more bills to Committee. And that's the purpose of this Body is to have public hearings on these bills and by not receding and concurring or having a Conference on a previous motion just negates what we do in this Body and the fact that we continued on like nothing happened and you guys don't care, that just --

The **SPEAKER**: The Member will defer. The Chair will remind Members to not question the motives of others or impugn their character.

The Chair reminded all Members that it was inappropriate to question the motives of other Members of the House or impugn their character.

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

ORDERS

On motion of Speaker TALBOT ROSS of Portland, the following Joint Resolution: (H.P. 1211) (Cosponsored by Senator MOORE of Washington and Representatives: DANA of the Passamaquoddy Tribe, OSHER of Orono, PERRY of Calais, Senators: STEWART of Aroostook, TIPPING of Penobscot)

JOINT RESOLUTION RECOGNIZING MAY 5, 2023 AS MISSING AND MURDERED INDIGENOUS PERSONS AWARENESS DAY

WHEREAS, there are thousands of unsolved cases of missing and murdered Native Americans, including high case rates involving women and girls, including transgender women and girls; and

WHEREAS, the number of these cases is disproportionately high compared to cases among the population of the United States as a whole; and

WHEREAS, failure to demonstrate the necessary commitment to addressing and preventing this ongoing tragedy fails to honor the dignity and humanity of each person who goes missing or is murdered; and

WHEREAS, it is necessary to work with tribal nations to increase coordination among state and tribal entities to investigate and resolve these cases and ensure accountability; and

WHEREAS, it is also necessary to address the underlying causes of these cases, including sexual violence, human trafficking, domestic violence, violent crime, systemic racism, economic disparities and substance use and addiction, as well as to put in place a support system to bridge the gap for families in crisis and provide opportunities for healing through community-driven approaches; and

WHEREAS, the challenges in tribal communities are best met by solutions that are informed and shaped by tribal leaders and tribal governments; and

WHEREAS, an effective community response plan requires critical partnerships within and timely response from the community, tribal law enforcement and local, state and federal law enforcement; 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 May 5, 2023 as Missing and Murdered Indigenous Persons Awareness Day in order to remember the indigenous people we have lost and commit to working to ensure that any incident of a missing or murdered person is met with swift and effective action.

READ.

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

Representative **RECKITT**: Thank you, Madam Speaker. I asked to speak to this Order today for several reasons. In 2005 to 2007 or so, I first began working with Judge Eric Mehnert from the Penobscot Tribe to try to bring justice to women who had been abused on the reservations by people not of the reservations. I worked with him for several years and fortunately two years ago, I believe, or maybe a little more, with help from you, Madam Speaker, we managed to get this passed so that people who violated women on the reservation could be prosecuted by the Tribal Courts. It was an important step.

Somewhere around the mid; 10 years later; actually, I have them backwards. That's what I did 10 years later. What I did 10 years before was to work to help free a woman, again of the Penobscot Nation, who had been impossibly-long-term prisoned for a crime that was not worthy of a 30-year sentence. And I spent two or three years working on the then-Chief Executive

back in 2005 to get him to commute the sentence of this woman who deserved to be home with her family and her grandchildren. She was an amazing woman and a victim of terrible domestic violence crimes. Eventually, I went to the Commutation Board with her and the then-Chief Executive finally did commute her sentence and she was able to return home to the Bangor area to her grandchildren. And that was one of the most important things I think I've ever done and she gave me a crocheted piece that she had made in prison and it's still sitting in my bedroom on a table and I think of her every time that I see it. The third thing I want to talk about is I spent some time on the National Board of the National Coalition to End Domestic Violence and I was the President of that organization at one point. And at the time, I was reminded again that that organization, which was the national voice for domestic violence, was started by native women from the tribes in South Dakota. And they had a very important voice in that organization for decades. And at some point, all of a sudden; well, maybe not all of a sudden, but at some point, we realized there was no longer a native woman on the Board of Directors. And some of you may know I'm a tad stubborn sometimes and I was the national President at the time, I said we're not appointing anybody to this board until a native woman comes forward or we search and find one who can be on this board. This board was started by native women and we're not going to function without native women. So, eventually, took about a year, but we got a native woman who wanted to come on the board and who worked with us and it felt way much better to know that at least one native voice amongst those about 10 people on that board was available again to help us hear the truth, the truth about what was happening on the reservations, what was happening in the world at large.

I'm not going to talk too long, although you think I probably already have, but I want to just say one more thing. This is a very serious problem and I'm not wild about having one day that we target as the Missing and Murdered Indigenous Persons Awareness Day. We should be looking at this problem day after day until we find a solution. This is a totally unacceptable crisis for our country, for the world, and I think we have to do everything we can from our end and to assist our native brothers and sisters to bring an end to this horrible problem which really is huge and horrible. So, I ask you to support this Order today and to listen carefully to the words of my brother, Representative Dana, who will be able to speak way better than me on this particular issue. And so, I thank you for your attention and I hope you will do what you can because it really; if you're a television watcher, there's a really horrible streaming show right now that focuses on this issue and it's terrifying to watch. It's called 1923. So, if you get a chance, you won't be able to get up from that show without trying to figure out what you personally can do to help on this problem and I urge you to try to do that. Thank you so much, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from the Passamaquoddy Tribe, Representative Dana.

Representative **DANA**: Thank you, Madam Speaker. Madam Speaker and Members of the House, (*the Representative gave a greeting in his native language*). I am Aaron Dana, the Passamaquoddy Representative for the Passamaquoddy Tribe and I come from Indian Township. I rise today and recognize and honor and also wear articles of red for the missing and murdered indigenous women and girls and to bring awareness to the issue as we observe the National Day of Awareness for Murdered and Missing Indigenous Women. This day is an opportunity to remember the lives of the indigenous women and the young girls who have been taken from their families, their communities, and to raise awareness to the

ongoing violence that our native and indigenous women face. Indigenous women and girls are disproportionately affected by violence, with rates of murdered and missing cases significantly higher than any non-indigenous woman. According to the National Indigenous Women's Resource Center, more than 4,000 indigenous women and girls are reported missing or murdered only in the United States between the years of 2016 and 2019. And these numbers only scratch the surface of the actual numbers of cases as many go unreported and not properly documented. And the numbers have significantly changed even within these past three years.

These women are our sisters, our mothers, our daughters and our grandmothers, and their loss is felt deeply by their loved ones, friends and future generations that will be impacted by their absence. They are an integral foundation of our matriarchal society. They are the backbones of our families, our communities and our way of life as indigenous people. We must do more to address the systematic issues that perpetuate the violence against indigenous women and girls and bring justice to those who have been taken from us. We must work to end the normalization of violence against indigenous women and girls and create a safer, more equitable future for all indigenous women and girls. This includes addressing the root causes of violence such as poverty, racism, colonialism, oppression, genocide, and ensuring that indigenous women and girls have access to the resources and support when experiencing such violence. As we observe tomorrow the National Day of Awareness for Murdered and Missing Indigenous Women, let us remember the lives of all the relatives that have been lost and the families who continue to grieve. Let us commit to taking action and to end the violence against indigenous peoples and create a future where indigenous lives are valued, respected and safe. I thank all of you for taking the time to listen to me. (*The Representative spoke in his native language*), Madam Speaker. Thank you all so very much.

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

On motion of Representative WHITE of Waterville, the following House Order: (H.O. 22)

ORDERED, that Representative Danny Edward Costain of Plymouth be excused Apr 25 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Larry C. Dunphy of Embden be excused Apr 27 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Jessica L. Fay of Raymond be excused Apr 25 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Benjamin C. Hymes of Waldo be excused Apr 25 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Stephen W. Moriarty of Cumberland be excused May 3 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Joshua Morris of Turner be excused Apr 11, 12 and 13 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Chad Richard Perkins of Dover-Foxcroft be excused May 2 for personal reasons.

READ and PASSED.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Emily Flinkstrom, of Kittery, Executive Director of Fair Tide, who has been named the Women of the Year honoree from Maine by USA Today. Fair Tide is a Kittery-based nonprofit that works to find permanent housing for people and families experiencing homelessness. We extend our congratulations and best wishes;

(HLS 246)

Presented by Representative MATHIESON of Kittery. Cosponsored by Senator LAWRENCE of York, Representative MEYER of Eliot.

On **OBJECTION** of Representative MATHIESON of Kittery, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Kittery, Representative Mathieson.

Representative **MATHIESON**: Thank you, Madam Speaker. Good afternoon, Ladies and Gentlemen of the House. I rise today to honor Emily Flinkstrom. She was awarded the USA Today's Woman of the Year for 2023 in recognition of her significant impact that she's made in my community, Kittery, and across the country. Emily has dedicated her life and her life's work serving unhoused families. She started her work at a homeless resource center while completing a Master's degree in Social Work. Emily feels so strongly the foundation of anyone's success is a stable home. No one can be successful in life while focusing on an immediate need of a safe place to sleep at night.

Emily is well-known in Kittery. She was named the Executive Director of Fair Tide, a Kittery-based nonprofit that works to find permanent housing for families. Since Emily has been the Executive Director, they've secured homes for over 30 households. Emily is known as a visionary thinker in Kittery. She, in partnership with Footprints Food Pantry, is working to build a collaborative hub called Mainspring. This will provide individuals and families easier access to services in one centralized location. Using a very hard-fought grant application from ARPA county funds, the two nonprofits were able to purchase a building in Kittery; no easy feat; and start to make this long-time dream a reality. Mainspring will be the home to a new market model food pantry, affordable housing programs, case management services, a flourishing thrift store, partnership with our local CAP agency, space to incorporate municipal general assistance, mental and behavioral health support, legal aid, medical and dental health clinics and multipurpose meeting rooms for other local agencies and groups. In addition, they will be partnering with Maine Housing to build six affordable housing units in Kittery. They've launched their capital campaign for additional funding and Emily was just recently notified by both Senators King and Collins that they have officially requested that Mainspring be funded by Congressionally-directed spending FY2024 under the Transportation, Housing and Urban Development Appropriations Subcommittee.

Anyone who knows the saying one person can make a difference and everybody should try knows this embodies Emily. We are so proud of you, Emily. This recognition is well-deserved. Thank you for your continued steadfast support for our neighbors and those most in need. You are one of a kind and I am proud to call you a friend. Thank you, Madam Speaker.

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

Recognizing:

Deanna Tabor, of Lewiston, who has been named the Boys and Girls Clubs of Southern Maine Auburn/Lewiston Youth of the Year. We extend our congratulations and best wishes; (HLS 290)

Presented by Representative CRAVEN of Lewiston. Cosponsored by Senator ROTUNDO of Androscoggin, Representative ABDI of Lewiston, Representative CLOUTIER of Lewiston, Representative LAJOIE of Lewiston.

On **OBJECTION** of Representative CRAVEN of Lewiston, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

Dillon Elliott, of West Gardiner, who has been named the Boys and Girls Clubs of Kennebec Valley Gardiner Club Youth of the Year. We extend our congratulations and best wishes; (HLS 291)

Presented by Representative SHAGOURY of Hallowell. Cosponsored by Senator HICKMAN of Kennebec.

On **OBJECTION** of Representative TERRY of Gorham, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-58)** on Bill "An Act to Support Higher Education in Maine by Providing Funds to Maine's Community Colleges"

(S.P. 202) (L.D. 447)

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

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

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

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

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-58)**.

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (S-58)** 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-58)** in concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass** on Bill "An Act to Clarify That Haulers Are Under the Jurisdiction of the Logging Dispute Resolution Board"

(S.P. 228) (L.D. 511)

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 Not to Pass** on same Bill.

Signed:

Representatives:

BRADSTREET of Vassalboro

DRINKWATER of Milford

SOBOLESKI of Phillips

Came from the Senate with the Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

READ.

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

Representative DUCHARME of Madison **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought 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 Madison, Representative Ducharme.

Representative **DUCHARME**: Thank you, Madam Speaker. I rise today in opposition of the pending motion. Like LD 1724 from the 130th Legislature, this Bill was not created at the request of the logging and trucking industry nor was vetted by anyone in the industry and has no support in the industry. LD 1724 wasn't even supported by the Chief Executive. She allowed it to become law without signature. LD 1724 was opposed by 26 logging contractors at the public hearing. These same contractors are in opposition to LD 511 but they feel so disenfranchised based on the activity that took place last year with respect to LD 1724 that they don't feel it's worth their time to voice their opinion again because it doesn't really seem to matter. The Bill before you is flawed and will only make a previously flawed bill even worse. No one is using the previously-enacted Statute and no one will use this one. Timber hauling contractors that work on the land base that is owned by

a large landowner, in this case 50,000 acres or more, generally have contracts with those land management companies or with a logging contractor that's hired them to transport the wood. These land management companies and loggers have separate contractors with landowners. There are only three landowners in the State that own 50,000 acres or more. Those are Irving, Acadian Timber and Weyerhaeuser. The rest of them are all smaller than that and this Bill does nothing for them.

LD 511 will allow timber hauling contractors to bring a dispute to an open-ended dispute resolution board within the Executive Branch, the Maine Labor Relations Board of State Government, that has no experience in the business issues of the timber industry, and they never will. The Maine Labor Relations Board is tasked with settling disputes of State workers and their union contracts but now has been given the authority to settle private contractual disputes within logging companies and landowners. Logging and trucking business owners do not want a board with no experience, no statutory authority pertaining to business issues involved in their contractual disputes. There's already a dispute resolution system set up in Maine Department of Agriculture. The Maine Agricultural and Bargaining Board Act of 1973 created such a board and encouraged loggers and truckers to form cooperatives if they needed to. Perhaps we should allow that statutory authority to work rather than creating something that no one will use. Why would logging and timber hauling businesses want to be represented by someone who's not involved in the business and doesn't represent the business owners? The bottom line is that no one on this board represents the logging and trucking industry and no one from the industry wanted this solution in search of a problem last year and they don't want it this year, either. Adding haulers to the mix only compounds the problem. Please follow my light and vote Ought Not to Pass. Thank you.

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

Representative **ROEDER**: Thank you, Madam Speaker. Madam Speaker, I want to point out that the bill in front of us is LD 511, the Logging Dispute Board was taken up in the 130th Legislature, this bill simply clarifies some definition terms within the bill. So, we are adding haulers to the jurisdiction of the Logging Dispute Resolution Board. Again, we're not voting on whether or not the Logging Dispute Resolution Board should exist; we are voting on whether or not to add haulers to the definition. Thank you.

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

ROLL CALL NO. 49

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

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Campbell, Collamore, Copeland, Costain, Cray, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Fay, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Hall, Henderson, Hymes, Jackson, Javner,

Landry, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmearsal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Bradstreet, Carlow, Carmichael, Cyrway, Galletta, Haggan, Hepler, Lajoie, Lanigan, Montell, Paulhus, Riseman, Zeigler.

Yes, 74; No, 63; Absent, 13; Vacant, 1; Excused, 0.

74 having voted in the affirmative and 63 voted in the negative, 1 vacancy with 13 being absent, and accordingly the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED** in concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-51)** on Bill "An Act to Expand the Membership of the Permanent Commission on the Status of Women"

(S.P. 353) (L.D. 794)

Signed:

Senators:

NANGLE of Cumberland
BALDACCI of Penobscot

Representatives:

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

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

Signed:

Senator:

LYFORD of Penobscot

Representatives:

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

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-51)**.

READ.

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

Representative GREENWOOD of Wales **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 Standish, Representative Pomerleau.

Representative **POMERLEAU**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. As a woman, I support the status of women in our State. However, as a fiscal conservative, I don't support the creation of a Public Service Coordinator position to oversee the Permanent Commission of the Status of Women. I feel it's unnecessary for this position at an estimated cost of \$113,000 as well as \$87,000 for the advertising slush fund, which totals \$200,000 into perpetuity. For this reason, I cannot support this Bill and I ask my colleagues to follow my light and vote no on this pending motion. Thank you.

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

Representative **STOVER**: Thank you, Madam Speaker. I rise again in support of LD 794. The Permanent Commission on the Status of Women, they were founded in 1961 by then-President John Kennedy. They exist all over the country. Maine has had a real disadvantage in our own Permanent Commission. Although we have robust membership, what we don't have is any person or individual who's responsible to oversee this Commission. There's an annual report that is provided about the activities of the Commission. It's very hard to both meet the terms of being a Commission on the Permanent Status of Women in the State without either a staff person or budget to manage that commission. So, I would ask that Members follow the Ought to Pass as Amended Report. Thank you.

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

Representative **UNDERWOOD**: Thank you very much, Madam Speaker. This expands government and we don't need any more expansion of government. Our government is the largest that it's ever been and getting larger. So, if we could practice fiscal responsibility, vote against this pending motion. Thank you, Madam Speaker.

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

ROLL CALL NO. 50

YEA - Abdi, Ankeles, Arford, Bell, Boyer, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, 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, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Theriault, Warren, White B, Williams, Worth, Zager, Madam Speaker.

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

ABSENT - Bradstreet, Carlow, Carmichael, Galletta, Haggan, Hepler, Lajoie, Lanigan, Montell, Paulhus, Riseman, Zeigler.

Yes, 79; No, 59; Absent, 12; Vacant, 1; Excused, 0.

79 having voted in the affirmative and 59 voted in the negative, 1 vacancy with 12 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-51)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-51)** in concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-54)** on Bill "An Act to Allow a Restaurant to Serve a Bottle of Wine to the Person Who Brought the Bottle"

(S.P. 435) (L.D. 1066)

Signed:
Senators:

HICKMAN of Kennebec
BRENNER of Cumberland
TIMBERLAKE of Androscoggin

Representatives:

SUPICA of Bangor
ANDREWS of Paris
BOYER of Poland
HYMES of Waldo
MALON of Biddeford
MONTELL of Gardiner
RIELLY of Westbrook
RISEMAN of Harrison
RUDNICKI of Fairfield

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

Signed:

Representative:

COLLINGS of Portland

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-54)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-54)** 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-54)** in concurrence.

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass** on Resolve, Naming a Pond in the Town of New Gloucester as MacDonald Pond

(H.P. 429) (L.D. 660)

Signed:

Senators:

LaFOUNTAIN of Kennebec
BLACK of Franklin
CURRY of Waldo

Representatives:

LANDRY of Farmington
DILL of Old Town
DRINKWATER of Milford
GOLEK of Harpswell
HEPLER of Woolwich
MASON of Lisbon
THORNE of Carmel
WOOD of Greene
WOODSOME of Waterboro

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

Signed:

Representative:

CLUCHEY of Bowdoinham

READ.

On motion of Representative LANDRY of Farmington, the Majority **Ought to Pass** Report was **ACCEPTED**.

The Resolve was **READ ONCE**.

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

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

CONSENT CALENDAR

First Day

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

(S.P. 637) (L.D. 1605) Bill "An Act to Amend the Terms of the Members of the Maine Space Corporation Board of Directors by Requiring Staggered Terms" (EMERGENCY) Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass**

(S.P. 67) (L.D. 128) Bill "An Act to Increase the Limit on Sets of Special Veterans Registration Plates from 3 Sets to 4 Sets" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-57)**

(S.P. 76) (L.D. 147) Bill "An Act to Increase the Amount of Money Allowed to Be Raised for a Charitable Purpose by Certain Raffles" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-53)**

(S.P. 237) (L.D. 566) Bill "An Act to Provide Funding for Sexual Assault Services" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-56)**

(H.P. 533) (L.D. 844) Bill "An Act to Protect the Practice of Certain Cardiovascular Professionals" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-97)**

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

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

ENACTORS
Acts

An Act to Expand Health Insurance Coverage to Certain State Employees

(S.P. 60) (L.D. 121)
(C. "A" S-49)

An Act to Update and Clarify the Public Utilities Commission's Reporting Requirements

(S.P. 100) (L.D. 194)
(C. "A" S-50)

An Act to Eliminate the Cannabis Advisory Commission

(S.P. 162) (L.D. 355)
(C. "A" S-47)

An Act to Exempt Certain Conservation Lots from Municipal Subdivision Review

(S.P. 264) (L.D. 596)

An Act to Promote the Use of Free Annual Wellness Visits by Ensuring Proper Disclosure

(H.P. 414) (L.D. 637)
(C. "A" H-70)

An Act to Maintain Legislative Oversight of the Maine Medical Use of Cannabis Program by Requiring Major Substantive Rulemaking

(H.P. 625) (L.D. 978)
(S. "A" S-59)

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.

Resolve

Resolve, Directing the Department of Education, Maine School Safety Center to Convene a Stakeholder Group to Develop Best Practices for Lockdown Drills and Active Shooter Drills and Allowing Parents to Opt Out of Active Shooter Drills for Their Children

(H.P. 294) (L.D. 477)
(C. "A" H-63)

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

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

UNFINISHED BUSINESS

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

HOUSE DIVIDED REPORT - Majority (9) **Ought to Pass as Amended by Committee Amendment "A" (H-73)** - Minority (2) **Ought Not to Pass** - Committee on **TAXATION** on Bill "An Act to Create Parity in the Taxation of Medicine"

(H.P. 346) (L.D. 541)

TABLED - April 27, 2023 (Till Later Today) by Representative PERRY of Bangor.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

Representative PERRY of Bangor moved that the House **ACCEPT** the Minority **Ought Not to Pass** Report.

Representative PERRY of Calais **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **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 Calais, Representative Perry.

Representative **PERRY**: Thank you. I want to speak to the Minority Report because the request is that medical marijuana be nontaxed like any other prescription drug. Unfortunately, marijuana is still an illegal substance federally and medication that is not taxed is FDA approved. Marijuana is not an FDA-approved medication. It is also an herbal medication. Every medication that I have prescribed that has been herbal has been taxed and I have prescribed herbals. So, I feel that the taxation of herbal marijuana, it is not a purified form and it is not a type of prescription that is done otherwise. That's why I support the Ought Not to Pass. Thank you.

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

Representative **ZAGER**: Thank you, Madam Speaker. I rise also to support the Ought Not to Pass and to present some information that may be helpful to other Members that are considering this bill. Marijuana is a fascinating plant, with over 80 naturally occurring compounds. Collectively, they're known as cannabinoids. CBD, cannabidiol, and tetrahydrocannabinol, or THC, are two of the most well-known ones but there's many others. A purified form of one of these compounds has been FDA approved for a particular indication in pediatric seizures for a couple of specific seizure syndromes. But we should bear in mind that prescription for medicine has several elements. Among them are what the substance is, the dose; in other words, how many milligrams or what the amount is in recognized standard units; and marijuana simply; at least in discussing with my patients, many of whom are receiving or using medical marijuana per the laws of the State, they share with me that there's not this specificity. In other words, it's not really like; it's not a prescription, in other words. It would be akin to using a clover plant, which has a derived compound that is used in an FDA-approved medicine called warfarin or coumadin, which can prevent seizures in certain situations, in a condition known as atrial fibrillation. However, doctors and other prescribers are not telling people to go eat clover because the dose might not be appropriate and harm can result from other compounds or an inappropriate dose could cause a hemorrhage in the brain or elsewhere in the body. And so, there's a reason why the doses are part of the prescription and why these purification processes are part of the structure to ensure the safety of medicines, which have been in place basically since 1908. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Hodgdon, Representative Quint.

Representative **QUINT**: Thank you, Madam Speaker. I request that you read the Committee Report and I would like to speak to my motion.

Representative **QUINT** of Hodgdon **REQUESTED** that the Clerk **READ** the Committee Report.

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

The SPEAKER: The Member may proceed.

Representative **QUINT**: Thank you, Madam Speaker. I think that those who know me would say that I am a conservative. And so, seeing my name on the Majority Report was confusing to some. I would like to bring up just some

conversation with several things that were said. First of all, our State, in many instances, has gone against the federal government and what their laws are to allow things that the federal government does not. In this area as well, we have many people who have died from properly-prescribed pharmaceuticals that are FDA approved, most recently the COVID vaccine.

Next, I would just like to bring up that medical cannabis has helped so many people. People that we know, people that we love who are receiving cancer treatments that traditional pharmaceuticals have not been able to help. And so, it's in that light that I am in full support of this bill. And, as I said, this is an area where I'm not on the side of supporting all cannabis but in this situation, I feel that it has great value and I just don't want it to be overlooked. Thank you very much.

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

Representative **BOYER**: Thank you, Madam Speaker. Madam Speaker, I rise in support of the Majority Report. And as a Point of Order, I would remind colleagues that this is cannabis, if we're going to talk about science and talk about facts and medicine, then let's talk about it by its scientific name, cannabis; not marijuana, which is propaganda from the drug war and the pearl-clutching I'm hearing today is just astounding to me. I thought we moved past this a long time ago.

The Good Representative from Portland referenced the synthetic version of cannabis. It's called Marinol and it doesn't work. Cancer patients tried it, seizure patients, it doesn't work. And for a lot of folks, medical cannabis is the only thing that does work, including children who have epilepsy, who have seizures, Madam Speaker, hundreds of seizures in a day and cannabis is the only thing that works and cannabis isn't covered by insurance. So, this would bring some relief to folks that are paying out of pocket for this medicine, especially medicine that they might use on a daily basis. And it's true that we don't tax medicine and cannabis is a medicine. If it's federally illegal, then I guess the State of Maine are co-conspirators in this racket since we collect tax revenue on it. But we know that medical cannabis is protected under the federal government through the Rohrabacher Amendment, through the DOJ's Cole memo. It's clear that if we're operating within the guidelines, not allowing kids to have it, etcetera, then the federal government is not going to intervene. So, I don't think that's a very compelling argument to say that if we remove the tax on medical cannabis today, the federal government is going to; what, come in here? So, I didn't think it would be the Republicans fighting for this but so be it, so, hope you follow my light. Thank you.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Fredericks.

Representative **FREDERICKS**: Madam Speaker and Fellow House Members, I urge you to vote in support of LD 541, "An Act to Create Parity in the Taxation of Medicine," and cut the sales tax on medical cannabis. Medications are not taxed.

I am a nurse practitioner and I treat patients with medical cannabis and I know there is much misinformation about medical cannabis. Each year, the federal government claims it will legalize, yet delay, delay, delay. And now, 38 states have legalized it. This is a bottom-up movement driven by the people. Already, there are seven states which have no sales tax on medical cannabis. Medical cannabis is used by 110,000 Mainers as a therapeutic treatment for genuine symptom relief and management of illness. This plant-based medicine does not have the same side effects as pharmaceuticals and people know it. Veterans and PTSD sufferers are speaking up about foregoing conventional medications because of the side effects.

Cancer and palliative care patients are using medical cannabis to relieve pain and stimulate appetite. Opiate users, those that are in recovery, transitioning off of suboxone with the help of medicinal cannabis. Medical cannabis patients use it not as a gateway drug but as an exit medication. THC is the compound which is psychoactive and some use it for recreation but I am advocating for those patients that use it to not get high, those that obtain a medical card from a clinical provider and use it for its medicinal effects. They are using it to treat a condition, a disease, to achieve symptom relief or transition off of opiates or to avoid pharmaceuticals altogether.

There are multiple compounds in this plant beyond THC which have medicinal properties. CBD, CBG, CBN, CBC, to just name a few, and those compounds are anti-inflammatory, they inhibit tumor growth, they're anticonvulsant, anti-anxiety, anti-nausea, anti-spasmodic, they lower blood pressure, they stimulate appetite, improve sleep and I could go on. Back home, we have a 13-year-old boy who is suffering with a stage IV brain tumor and he was given a prognosis and a life expectancy of 8-12 months. He underwent chemo, radiation, clinical trials, surgery inclusive of a feeding tube and now he's managed on medicinal cannabis. He's in his 16th month of survival. His poor parents not only have to bear the grief of this terminal condition but also pay out of pocket for his medication and, additionally, pay the tax. We can change that with LD 541.

Now, there was no testimony in opposition, yet a multitude of testimony in support was heard before the Committee. Dr. Tishler, board certified, Harvard Medical School graduate and president of the National Cannabinoid Specialist Organization, Dr. Sulak of Falmouth, the pediatric cannabis specialist, national cannabis speaker and author of three medical textbooks, University of Maine Orono faculty, John Jemison, cannabis agricultural expert, Schoppee Farm owner, cannabis cultivator and distributor of Machias. Cancer patients came, a mother of a daughter with an irretractable seizure disorder spoke, and they emphasized the therapeutic properties of medicinal cannabis. The Committee next had a robust discussion in the Work Session and the Majority Report was Ought to Pass as Amended. It's odd that the Committee now dismisses that body of knowledge learned from the many Mainers who testified and from that enthusiastic work session. I urge you all to vote no today. Hear the voice of the people. It's taxation without representation. These patients should not be taxed for their medication. Thank you, Madam Speaker.

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

ROLL CALL NO. 51

YEA - Abdi, Ankeles, Arata, Arford, Bell, Brennan, Bridgeo, Carmichael, Cloutier, Cluchey, Copeland, Crafts, Craven, Crockett, Cyrway, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Greenwood, Hasenfus, Hobbs, Jauch, Kessler, Kuhn, LaRochelle, Lee, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Moonen, Moriarty, Morris, Murphy, Ness, Newman, O'Connell, O'Neil, Osher, Perry A, Perry J, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, White B, Worth, Zager, Madam Speaker.

NAY - Adams, Albert, Andrews, Ardell, Babin, Bagshaw, Blier, Boyer, Boyle, Campbell, Collamore, Collings, Costain, Cray, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Griffin, Guerrette, Hall, Henderson, Hymes, Jackson, Javner, Lavigne, Lemelin, Libby, Lyman,

Mason, Millett H, Milliken, Nutting, Parry, Paul, Perkins, Pluecker, Poirier, Polewarczyk, Pomerleau, Quint, Riseman, Rudnicki, Sampson, Schmearsal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, Warren, White J, Williams, Wood, Woodsome.

ABSENT - Bradstreet, Carlow, Galletta, Haggan, Hepler, Lajoie, Landry, Lanigan, Lookner, Montell, Paulhus, Zeigler.

Yes, 76; No, 62; Absent, 12; Vacant, 1; Excused, 0.

76 having voted in the affirmative and 62 voted in the negative, 1 vacancy with 12 being absent, and accordingly the Minority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

An Act to Improve Access to Civil Legal Services (EMERGENCY)

(S.P. 235) (L.D. 564)
(C. "A" S-30)

TABLED - May 2, 2023 (Till Later Today) by Representative TERRY of Gorham.

PENDING - **PASSAGE TO BE ENACTED**.

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

Representative **POIRIER**: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, I rise in opposition to the pending motion. The State of Maine does not have a constitutional obligation to fund civil legal services. We are, however, bound by the Constitution to provide indigent legal services. The fiscal note on this bill is over \$11 million in the biennium and we would better serve our people in Maine if we were to allocate these funds to indigent legal services, where it would help achieve our goal of fulfilling our State's constitutional obligations to provide counsel to the citizens of Maine. Furthermore, government funding of private, nonprofit agencies amounts to nothing more than welfare for lawyers. Please follow my light and oppose the pending motion.

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

Representative **KUHN**: Thank you, Madam Speaker. Maine's civil legal services fund plays a critical role in funding access to justice for residents of Maine who are low income, elderly and who may have a disability. I wanted to take a moment to talk about one of the larger providers, which is Pine Tree Legal Assistance. The lawyers and staff at Pine Tree help low-income Maine people secure access to basic human needs such as housing, food, education, health care and, critically, physical safety in the case of domestic violence and sexual assault. The individuals receiving these services live in every one of our districts. In 2022, Pine Tree directly served more than 18,000 people through six offices throughout the State and robust online resources that allow people to help themselves.

This may not be a constitutional obligation but I would submit that it is a moral obligation. We start our Session every morning with the terms with justice for all and without adequate and timely funding of legal services, low-income people get left behind and we fail in that promise. I would ask my colleagues here to think about individuals in their districts, and by that, I mean parents, children, seniors and sadly, many veterans, who face problems like housing insecurity, who need protection from abuse, who are unable to access essential services because of disabilities. And I would ask you to please vote in support of this

funding so that those people don't get left behind and every Mainer can have access to justice irrespective of how much money they make. Thank you, Madam Speaker.

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

Representative **RECKITT**: Thank you, Madam Speaker, and Members of this Body. I rise today to speak on behalf of one of the providers that is funded by this money, and that's Legal Services for the Elderly.

I became very familiar with them when I was the director at the domestic violence program in Cumberland County and I applied for a large federal grant to work for elder abuse. And, in fact, as a result of that grant, among other things, we established a shelter for victims of domestic violence in their 60s and 70s. We also began work on financial exploitation but we knew we needed a partner and Legal Services for the Elderly was who stepped forward. We worked with them and I think that if you have any connections with a credit union, you would know that they keep a careful eye on the accounts of older people to make sure that they are not exploited by their children or other relatives or anybody else. And so, there's a whole program that got set up and is watched by Legal Services for the Elderly to make sure that the elders in this State do not get; I don't know what the word is but taken advantage of by those whose money is; you know what I'm trying to say.

Basically, I hope that you will vote to do this. I'm in absolute agreement around the things that Representative Kuhn has just said. I'm a great fan of Pine Tree Legal. But I choose today to speak about Legal Services for the Elderly, which is one of the smaller of the agencies that are involved in this. As I recollect, it's about six percent of the money, or four percent that goes to them. And the work they do with elders who otherwise have no money to pay lawyers but who are not technically bottom-line low income because they have Social Security checks, which are not that huge, so they are also now low-income people in the guidelines. And so, it's important that we try to help the elders in our society to stay safe in every way and one of those ways or several of those ways are worked on by legal services for the elderly. So, I thank you for your consideration of this bill.

This being an emergency measure, a two-thirds vote of all the Members elected to the House being necessary, a total was taken. 75 voted in favor of the same and 61 against, and accordingly the Bill **FAILED PASSAGE TO BE ENACTED** and was sent to the Senate.

SENATE DIVIDED REPORT - Majority (9) **Ought Not to Pass** - Minority (3) **Ought to Pass** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Require All Emergency Medical Services Persons to Be Trained in the Dispensing of Naloxone Hydrochloride"

(S.P. 400) (L.D. 981)

- In Senate, Minority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-48)**.

TABLED - May 3, 2023 (Till Later Today) by Representative SALISBURY of Westbrook.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

On motion of Representative SALISBURY of Westbrook, the Minority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Senate Amendment "A" (S-48)** 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 Senate Amendment "A" (S-48)** in concurrence.

HOUSE DIVIDED REPORT - Majority (8) **Ought Not to Pass** - Minority (5) **Ought to Pass** - Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Restore Religious and Philosophical Exemptions to Immunization Requirements" (H.P. 26) (L.D. 51)

TABLED - May 3, 2023 (Till Later Today) by Representative BRENNAN of Portland.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

Representative SAMPSON of Alfred **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 Milford, Representative Drinkwater.

Representative **DRINKWATER**: Thank you, Madam Speaker. If we believe in diversity, equality and inclusiveness, then how can we say that this one group of children are not equal, they must be segregated from education? Under *Brown v. Board of Education*, a landmark case from 1954, the Court ruled that black children are entitled to an equal education. The Court in its ruling stated that state-mandated segregation, even if implemented in schools of otherwise equal quality, is inherently unequal because of its psychological impact. I want the House to hear the psychological impact of segregating our children because of an illegal law.

This is the testimony of Nick Fikus: Senator Rafferty, Representative Brennan, and Members of the Education and Cultural Affairs Committee, my name is Nicholas Fikus. I am 10 years old and I am testifying in support of LD 51. I support this bill because I want to go back to school. I see my big brother and sister go to school every day and they always talk about their friends and the fun that they have at school all day. I only have a couple of friends and I mostly learn alone. I don't really like learning alone. It makes me feel different and I feel like a weird kid. Since I have to be homeschooled, my mum can't work because she has to teach me. My dad had to get a bigger job that has many hours and he has to go on long business trips for the military. I feel really sad when he is away and I miss him. Please let me go back to school so I can have friends and my dad back.

Madam Speaker, young Nick had to wipe the tears away from his eyes during his testimony. If this Body is not convinced, then I would suggest reading the testimonies of the hundreds of Maine citizens who testified. The evidence is clear; Maine kids and health care workers are suffering from this unlawful mandate. The 14th Amendment of the U.S. Constitution under the Equal Protection Clause states; all persons born or naturalized in the United States and subject to this jurisdiction thereof are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty or property without due process of law, nor deny to any persons within its jurisdiction the equal protection of law. Our State Constitution is clear. A general diffusion of the advantages of

education being essential for the preservation of the rights and liberties of the people; to promote this important object, the Legislature are authorized and it shall be their duty to require the several towns to make suitable provisions at their own expense for the support and maintenance of public education. Title 20-A, Education, is clear. Whenever because of this section a child is absent from the public school for more than 10 days, the superintendent shall make arrangements that meet the educational needs of the child. Even the ACLU supports the right to an education. This is a quote from their website; All kids living in the United States have the right to a free public education and the Constitution requires that all kids be given equal educational opportunity no matter the race, ethnic background, religion, sex or whether they are rich or poor, citizen or noncitizen. Even if you are in this country illegally, you have the right to go to public school. Where is the ACLU on children being denied an education? It appears it doesn't fit their agenda.

Ms. Belolan from the Department of Education, representing the Department of Education, when asked by the Representative from Alfred, Representative Sampson, do you believe that the Federal Law that states that children, regardless of their citizenship or residency status, are entitled to a free education? Is that something the Department of Education is in agreement with? Her answer; yes. One would think that answer would spark curiosity within the Education Committee. The Committee should've tabled LD 51 and immediately asked Attorney General Frey for an opinion on the legal issues presented. The five members of the minority did. The AG only gave a rational basic review instead of using strict scrutiny as the court requires on religious grounds. I hope that this Body desires to find out why the Department of Education agrees that they are breaking the law. Federal Law. Ms. Belolan was asked by the Representative from Windham, Representative Bagshaw, quote, are you aware of any lawsuits being brought because of a denial of a public education? To which she answered; I am not aware of any lawsuits. Remember, now, Ms. Belolan is representing the DOE. We should require truthful representatives from the Department to give truthful answers. Madam Speaker, there is a lawsuit, *Fox v. State of Maine*, filed August 2022, and the DOE, along with Commissioner Makin, are defendants. April 18th of this year, 2023, decision by the United States District Court of the Southern District of Mississippi, *Bosarge v. Edney*, who is the State Health Officer for Mississippi, the judge ruled that the State of Mississippi will be enjoined, this is a quote, from enforcing Mississippi schools' compulsory vaccination law unless they provide an option for requesting a religious exemption. The Department of Education, State of Maine, priority notice, recognizes this federal law. Children, this is a quote, regardless of their citizenship or residency status are entitled to a public education. The DOE notice cites a Supreme Court decision, *Phyller v. Doe*, 1982. The Supreme Court ruled that public schools were prohibited from denying immigrant students access to public education. The court stated that undocumented children have the same right to a free public education as U.S. citizens and permanent residents. Undocumented immigrant students are obligated, as are all other students, to attend school until they reach the age mandated by State Law. I say to all the disenfranchised parents out there do not unenroll your kids from school. Call your superintendent and ask what are the arrangements for your children.

Madam Speaker, this vaccine requirement is being applied arbitrarily. The 90-day written assurance provision outlined in MRS 20-A, Section 6355, immunizations can be used and

within that timeframe a student should've started their vaccination series and received a medical exemption to carry them through the catch-up period. What happens on day 91 when the parents don't show the required proof? Will they be unenrolled? Under the law, if the parents fail to show the required proof of immunity against each of the diseases listed in the rule, then the superintendent must unenroll the student from school. The *Sun Journal* on February 9, 2023, headline: Over 100 Students can be Barred from School Without Required Vaccinations. The Lewiston school district began communicating the requirements to the families whose children were not compliant in December, with a deadline of February 1. When Superintendent Langlais learned how many students had yet to meet the requirement, he decided not to enforce the deadline. Let's figure out what we can do, he said. Langlais believed that language barriers and negative views of vaccinations have played a role in the large number of students who have yet to meet the requirement. Under the Maine DOE priority notice, under Federal Law and State Law, it is the responsibility of the enrolling school, not the student, to obtain educational records, which includes vaccination records. This one statement shows how the vaccinated children in our classrooms are not being protected by 798. Again, another example of our inability to sterilize the classroom.

Having talked to asylum seekers, I can attest that many of them will not comply. I understand Portland is preparing for another 300 asylum seekers. Will they have to show proof of vaccination before starting school? Again, under Federal Law, the school is responsible for obtaining vaccination records. According to Maine's priority notice it's up to the school to obtain those records. Just another example of arbitrarily enforcing an illegal law. While campaigning this past year, I talked to a nurse who was pregnant and refused to endanger her unborn child with an experimental COVID shot. She lost her job because she was refused a medical exemption. I asked her if she voted in March of 2020, to which she replied yes, and she voted to keep 798. Now that she realizes the unintentional consequences of her vote, she would've voted to repeal 798. Her many medical friends agree with her. The Good Representative from Belfast, Representative Dodge, made the motion Not to Pass and stated the people spoke in 2021 when they voted to keep 798. Let's examine current history of State Government overturning the will of the voters. November 20, 2003, voters passed and required the State to pay 55% of educational costs. It took 18 years. June 2010, Maine voted to keep sales tax rate at 5%, now 5.5%. March 2, 2017, *Bangor Daily News*, legislators tampering with minimum wage ignores the will of the voter. On April 26th, we heard LD 1376, "An Act to Create a Livable Wage," which will overturn the will of the voters from November of 2016.

In closing, I would like to read you the testimony of Kim Files. I'm a family nurse practitioner, certified to practice in the State of Maine. I am also a United States Air Force veteran, retiring from the medical unit of the 101st Air Refueling Wing in Bangor, Maine. I served faithfully for 28 and a half years. I served on active duty for four and a half years during Operation Iraqi Enduring Freedom. I was there for you at the very beginning of this pandemic. I was working full-time evaluating and triaging sick patients. I started a Saturday clinic at St. Joseph's Hospital to see and treat acute patients. Suddenly, a deadline hits and I am no longer safe. I've been stripped of my ability to continue providing the highest quality of health care to the people of Maine. I was completely stripped of my ability to provide for myself and my family. No ability to pay my mortgage, car payment, electricity, heat, phone. I was denied the ability to collect unemployment. Let me tell you as a veteran and primary

care provider, when you lose everything you have worked many years to achieve and you put your heart and soul into every patient, that rabbit hole you go down into seems unrecoverable. By the grace of God and my supportive family, I'm still here. Still here to stand before you to let you know that taking away your right to choose what you put into your body without informed consent is perhaps the most irregular thing I have ever witnessed. One month after losing both of my medical positions, I was hired by a company that the State of Maine contracts with to do face-to-face Social Security Disability insurance medical exams. No COVID shot required. No testing required neither by me or any of the numerous staff that assisted me nor any of the hundreds of patients that I evaluated for eight months. I was not allowed to work in Maine but I was allowed to work for Maine.

Madam Speaker, this illegal law has had an emotional, financial and psychological impact. As you so eloquently stated in the Labor Committee, the Equal Protection Clause of the United States Constitution provides no State shall deny to any person within its jurisdiction the equal protection of the law. Article 1, Section 6A of the Maine Constitution has the following language: No person shall be denied the equal protection of laws. Madam Speaker, it's clear that these students are covered by the Constitution and our laws here in the State of Maine, yet are being denied an education. Let's restore equal protection to 10-year-old Nick Fikus and the thousands of disenfranchised Maine children.

Madam Speaker, this is a little bit irregular here but I would ask that this bill be sent back to the Education Committee for reconsideration and if I have to put that in the form of a motion, that would be my motion.

The same Representative moved that the Bill and all accompanying papers be **COMMITTED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

Representative MILLETT of Cape Elizabeth **REQUESTED** a roll call on the motion to **COMMIT** the Bill and all accompanying papers to the Committee on **EDUCATION AND CULTURAL AFFAIRS**.

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, Ladies and Gentlemen of the House. Everyone in this Chamber has taken the oath of office stating that we would uphold the Constitutions of Maine and the United States. Maybe in the future I might suggest we all read them together before we swear that oath. Today, I'll offer an in-part *Reader's Digest* version. We don't have to read far in the Maine Constitution, it's actually on the first page, right under the Preamble, where we'll find the Declaration of Rights in Article 1, Section 3. Section 3 covers religious freedoms, sects; not sex; being equal, religious tests prohibited and religious teachers. It reads; All individuals have a natural and unalienable right to worship Almighty God according to the dictates of their own consciences, and no person shall be hurt, molested or restrained in that person's liberty or estate for worshiping God in the manner and season most agreeable to the dictates of that person's own conscience, nor for that person's religious professions or sentiments, provided that that person does not disturb the public peace, nor obstruct others in their religious worship; and all persons demeaning themselves peaceably, as good members of the State, shall be equally under the protection of the laws, and no subordination nor preference of any one sect or denomination to another shall ever be established by law, nor shall any religious test be required as a qualification for any office or trust,

under this State; and all religious societies in the State, whether incorporate or unincorporate, shall at all times have the exclusive right of electing their public teachers, and contracting with them for their support and maintenance.

Now let's consider the 14th Amendment of the Constitution we all swore an oath to uphold. We've already heard the Equal Protection Clause of the 14th Amendment provides that a State may not deny to any person within its jurisdiction the equal protection of the laws. It applies to public elementary and secondary schools. We've also heard about the 1954 Supreme Court decision about the Equal Protection Clause that was required in *Brown v. Board of Education*. Their decision is perhaps one of the most famous and important cases issued by the Court and it states; we conclude that in the field of public education, the doctrine of separate but equal has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs are, by reasons of the segregation they complained of, deprived of the equal protection of the law guaranteed by the 14th Amendment. That language and the Court's decision had a profound impact on the public education system at the time. Schools were required to end their segregation and discriminatory practices.

Now, let's fast-forward almost 70 years. Same clause, different issue. Why has the State of Maine regressed and embraced segregation and discrimination? Do we not take notice of the increasing court decisions throughout the nation reinforcing the protection of religious liberties? The State of Mississippi we just heard about is an example where religious exemption for families pertaining to vaccine exemptions were not repealed, not removed of a previous law, but instated as brand-new law. So, think about that. Why are we so regressive? Why do we blatantly ignore the Constitution we all swore to uphold? Why do we embrace straw-man arguments that lack of merit and science? We have children in our schools by the hundreds who are not being required to follow the vaccine law. They get to stay in school despite violating the law. Yet we have thousands of our own Maine citizens' children forced to be removed from the public schools. This very action proves the law is not being applied equally. Are we applying the law based on ideology while ignoring the science and forcing our current laws on the books and denying religious philosophical exemptions?

We must recalibrate, folks. It's time to hit the reset button. We cannot apply the law arbitrarily. We cannot discriminate against our children. We cannot segregate our children. We cannot go backwards. We must go forward. We have regressed. *Brown v. Board of Education* in 1954 rightly set the record straight, clarifying the Equal Protection Clause as it pertains to public education. It is time we learn and apply our history so we don't repeat the horrors of the past. I strongly oppose this motion and I ask you to follow my light.

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

Representative **BRENNAN**: Thank you, Madam Speaker, Men and Women of the House. I hope that everybody votes against this motion. It's unjustified, unwarranted and unnecessary.

The SPEAKER: A roll call has been ordered. The pending question before the House is to Commit the Bill and all accompanying papers to the Committee on Education and Cultural Affairs. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 52

YEA - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Campbell, Carmichael, Cloutier,

Collings, Costain, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Hall, Henderson, Hymes, Jackson, Javner, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Roeder, Rudnicki, Sampson, Schmearsal-Burgess, Smith, Soboleski, Strout, Swallow, Terry, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome, Madam Speaker.

NAY - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cluchey, 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, Rana, Reckitt, Rielly, Riseman, Roberts, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Warren, White B, Worth, Zager.

ABSENT - Bradstreet, Carlow, Collamore, Cray, Galletta, Haggan, Lajoie, Lanigan, Montell, Pringle, Williams, Zeigler.

Yes, 65; No, 73; Absent, 12; Vacant, 1; Excused, 0.

65 having voted in the affirmative and 73 voted in the negative, 1 vacancy with 12 being absent, and accordingly the motion to **COMMIT** the Bill and all accompanying papers to the Committee on **EDUCATION AND CULTURAL AFFAIRS FAILED**.

The SPEAKER: A roll call having been previously 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. 53

YEA - Abdi, 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 J, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Worth, Zager, Madam Speaker.

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

ABSENT - Bradstreet, Carlow, Collamore, Cray, Galletta, Haggan, Lajoie, Lanigan, Montell, Morris, Pringle, Sargent, Williams, Zeigler.

Yes, 75; No, 61; Absent, 14; Vacant, 1; Excused, 0.

75 having voted in the affirmative and 61 voted in the negative, 1 vacancy with 14 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

HOUSE DIVIDED REPORT - Majority (8) **Ought Not to Pass** - Minority (5) **Ought to Pass** - Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Restore Religious and Philosophical Exemptions Regarding Immunization Requirements"

(H.P. 693) (L.D. 1098)

TABLED - May 3, 2023 (Till Later Today) by Representative BRENNAN of Portland.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

Representative SAMPSON of Alfred **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 Windham, Representative Bagshaw.

Representative **BAGSHAW**: Thank you, Madam Speaker, Men and Women of the House. I proudly represent my neighbors in Windham. I rise today in opposition to the present motion on my Bill, LD 1098, "An Act to Restore Religious and Philosophical Exemptions Regarding Immunization Requirements."

Public Law 2019, Chapter 154 removed the exemption from the immunization requirements based on religious or philosophical beliefs. This Bill reinstates those religious and philosophical exemptions. Under the Constitution, we have an implied right to bodily autonomy. My body, my choice, right? This includes injections. To force someone to take an injection against their will or face consequences of varying severity; you can't go to school if you don't partake in injections containing materials that goes against a deeply-held belief. We step things up and told people you need to take an experimental injection if you would like to participate in society. If you'd like to go to work or fly on a plane, you have to take an experimental, unapproved emergency use gene therapy injection. This is a violation of bodily autonomy. God, not the government, gives us our rights. This law is unconstitutional and governmental overreach. Religious and philosophical exemptions need to be restored immediately. My body should not be subjected to tyranny, lawmakers' fear nor the fear of others that refuse to follow the science. We need to trust the science. We don't need to trust the science; we need to test the science. That's what science is. What we have seen, that these experimental injections are neither safe nor effective. It is not the job of the government at any level to exclude somebody from society at large because they choose not to comply with a mandate of this magnitude. To that end, I believe we must restore these basic constitutional rights. Personally and philosophically, I remain deeply concerned with this Faustian bargain put before many of our neighbors. Someone with an immune-response autoimmune disease should not be forced to take a shot that will cause a severe medical flare-up. Someone who has had organ damage from an experimental injection should not be forced to take a booster that will cause more significant damage. These are just a couple of testimonies that come to mind from my constituents. If I conscientiously object, which is my right, should I be exiled? This is what we have done to many of our kids and fellow Maine citizens. It is wrong to believe that it's all right for us to feel so emboldened to say that it is for the greater good that you are forced to compromise your body to alleviate somebody else's

fear. The religious and philosophical exemptions need to be restored. It is our right. It is our duty to do so. Thank you.

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

Representative **FOSTER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. First of all, I will beg leave from those who were in the 129th when these exemptions were removed by legislation that passed through this Chamber and through the Legislature and was signed into law because I will probably repeat some of the same information that I provided at that time against that Bill. And I am standing here before you today to ask you to help to support this Bill.

I know that there are medical professionals in this room who believe that mandating these vaccines, removing these exemptions, was the right thing to do. I know that there were medical professionals that testified that it was the right thing to do. And I know that in the 129th, my thoughts that a lot of this was based on fear and not necessarily science and practicality, I still hold those beliefs today. But I want to speak a little bit about the practicality of what would happen if we restored these exemptions. And for that, I will give you information that I received from my own personal consultant and lobbyist, my wife. My wife is an RN. She recently retired after over 40 years in the profession. She started out as an obstetrics nurse. She then had the opportunity to go into school nursing regime. She worked as a school nurse for over 20 years during that over 40-year career. She also was a health occupation nurse during part of that time and her last five years, she actually was a teacher getting students ready in high school to go on to the profession of health care. During her over 20 years as a school nurse, she worked in three different school districts; the Newport district, our old district in the Gilford district, and in our own school district in Dexter. During this time, these exemptions were available, and even until after she ended that time of serving as a school nurse, they were available. In the 129th, when the Bill came up to do away with them, I asked her for her experience in the area. Again, practically speaking, during all of that time, she had three or four occasions where the current State Law required her to look at students who had to have their vaccinations and she had to maintain a record of it who were not vaccinated for certain issues. For instance, if a student was not vaccinated for German measles, that student was required to leave school until they were either; that's if a case of German measles was in the school, that student and family members were required to leave school until either they were vaccinated for that particular issue or the issue had passed out of the school and they could return. In almost every one of those cases, the students went and were vaccinated because, come to find out, the parents just simply hadn't gone through the process of having them vaccinated, it was not a religious or philosophical exemption, although they used that. So, I will just stand here today to tell you that back in the 129th, I also conferred with the school nurses that followed her in our district in Dexter and they had basically the same experience. Almost all of the students were vaccinated, they followed the State Law at that time that if there was an unvaccinated student and that particular disease became prevalent, they had to leave and there was no issues with that. And I also will add, practically speaking, since these exemptions were removed, and this is anecdotal, I think you all have heard of different things like whooping cough that have now been found in our schools and, as a matter of fact, I've heard of cases of other diseases where that they have come to be in some of our public schools and they were brought in by students who are vaccinated. So, I think, practically speaking, we can live with these exemptions in our Maine school systems and I would ask

that you vote down the pending motion. 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. 54

YEA - Abdi, 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 J, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Worth, Zager, Madam Speaker.

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

ABSENT - Bradstreet, Carlow, Collamore, Cray, Galletta, Haggan, Lajoie, Lanigan, Montell, Pringle, Williams, Zeigler.

Yes, 76; No, 62; Absent, 12; Vacant, 1; Excused, 0.

76 having voted in the affirmative and 62 voted in the negative, 1 vacancy with 12 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (8) **Ought Not to Pass** - Minority (5) **Ought to Pass** - Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Reinstate the Religious and Philosophical Vaccine Exemptions for Private Schools and Virtual Public Charter Schools"

(H.P. 769) (L.D. 1209)

TABLED - May 3, 2023 (Till Later Today) by Representative BRENNAN of Portland.

PENDING - Motion of same Representative to **ACCEPT** the Majority **UGHT NOT TO PASS** Report.

Representative SAMPSON of Alfred **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 Poland, Representative Boyer.

Representative **BOYER**: Thank you, Madam Speaker. Madam Speaker, I rise today against the motion. The pending legislation would allow private schools that do not receive public funds to set the vaccine policy that works best for them. Our current policy is anything but scientific. So, you're telling me that children can get together and hang out Wednesday night for Bible study then go to the church picnic Saturday, they can go to worship in church on Sunday, but they're not allowed to go to school together the rest of the week? That's a danger to public health? I don't think so. With all due respect, Madam Speaker, this is just plain nonsense. In fact, it would be funny how

ridiculous this is if it didn't affect so many families in such a substantial way. The law passed in the 129th Legislature doesn't even allow parents to spread out their scheduled vaccines. There's no room for any context, any delays, any personalization; it's one size fits all. The law is punitive. What happened to free association, Madam Speaker? What happened to religious freedom, Madam Speaker? The Good Representative from Milford mentioned the 120 students in Lewiston facing expulsion. What is their crime? Having a deeply-held religious belief? Our law is so restrictive that their only option for receiving an education will have to be through homeschooling, which is not an option for many of these working-class and immigrant families. There's nothing scientific about our current policy and it does nothing to protect public health. What it does is take away the right to an education for Maine children. This isn't science, it's dogma. Please help common sense prevail today and follow my light. 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. 55

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

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

ABSENT - Bradstreet, Carlow, Collamore, Cray, Galletta, Haggan, Lajoie, Lanigan, Montell, Perry J, Pringle, Williams, Zeigler.

Yes, 72; No, 65; Absent, 13; Vacant, 1; Excused, 0.

72 having voted in the affirmative and 65 voted in the negative, 1 vacancy with 13 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (8) **Ought Not to Pass** - Minority (5) **Ought to Pass as Amended by Committee Amendment "A" (H-93)** - Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Prohibit Certain Higher Education Institutions from Requiring Vaccines Approved Under Emergency Use Authorization for Admission or Attendance" (EMERGENCY)

(H.P. 776) (L.D. 1228)

TABLED - May 3, 2023 (Till Later Today) by Representative BRENNAN of Portland.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report.

Representative SAMPSON of Alfred **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 Palermo, Representative Smith.

Representative **SMITH**: Thank you, Madam Speaker. Madam Speaker, Members of the House, this Bill was presented to ensure that never again do we take a future away from the children of Maine. My two amazing sons, one who graduated from high school last year and one graduating this year, did not receive the COVID shot, an experimental emergency use vaccine, because there are massive, frightening and lethal risks to teenage boys. We have seen it on the track field, we have seen it in the pool, we have seen it to many, but especially to young men. Because they refused this experimental vaccine, their future dreams were crushed because the community college system here in Maine, a publicly-funded institution, would not let them attend even though the COVID shot had not been properly tested or evaluated. Thousands of kids were in the same boat as my boys --

The SPEAKER: The Member will defer. It's very difficult to hear the Member speak. I would ask that we give respect to each Member who has the right to speak on this floor. The Member will proceed.

Representative **SMITH**: Thank you. Thousands of kids were in the same boat as my boys and had given up on the hope of an education or were planning to leave Maine, probably never to return, many. Yes, our publicly-funded institutions; UMaine, the Community College System and Maine Maritime; finally ended that mandate but that mandate did damage to our children and to our State and should never be allowed to happen again. I ask you to follow my light, protect the future of Maine's children.

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. 56

YEA - Abdi, 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, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Worth, Zager, Madam Speaker.

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

ABSENT - Bradstreet, Carlow, Collamore, Cray, Galletta, Haggan, Lajoie, Lanigan, Milliken, Montell, Parry, Pringle, Williams, Zeigler.

Yes, 76; No, 60; Absent, 14; Vacant, 1; Excused, 0.

76 having voted in the affirmative and 60 voted in the negative, 1 vacancy with 14 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

SENATE PAPERS

Bill "An Act to Provide Authorization to Aroostook County to Use the Statewide Radio and Network System"

(S.P. 764) (L.D. 1889)

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

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

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

Bill "An Act to Clarify the Review and Procurement Process for Nonwires Alternatives"

(S.P. 762) (L.D. 1887)

Bill "An Act to Reduce Electricity Costs for Maine's Consumers and Businesses by Amending the Laws Governing Renewable Resources" (EMERGENCY)

(S.P. 763) (L.D. 1888)

Bill "An Act Regarding the Procurement of Energy from Offshore Wind Resources"

(S.P. 766) (L.D. 1895)

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

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

Bill "An Act to Ensure Robust Contracts Between Insurers and Providers by Establishing Dispute Resolution Procedures"

(S.P. 765) (L.D. 1890)

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

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

Bill "An Act to Index Workers' Compensation Benefits to the Rate of Inflation"

(S.P. 767) (L.D. 1896)

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.

The following Joint Order: (S.P. 761)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, May 9, 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.

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

On motion of Representative HOBBS of Wells, the House adjourned at 2:14 p.m., until 10:00 a.m., Tuesday, May 9 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. 761).