

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

ONE HUNDRED THIRTY-FIRST LEGISLATURE
FIRST SPECIAL SESSION
13th Legislative Day
Tuesday, May 9, 2023

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

Prayer by Colonel Earl Weigelt, Maine Army National Guard, Winslow.

Colors presented by The Maine National Guard Joint Honor Guard.

National Anthem by Sergeant 1st Class Orié Bartlett, Maine Army National Guard, Hampden.

Pledge of Allegiance.

The Journal of Thursday, May 4, 2023 was read and approved.

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

At this point, a message came from the Senate borne by Senator DAUGHTRY of that Body, proposing a Joint Convention of both branches of the Legislature to be held in the Hall of the House at 10:45 in the morning for the purpose of extending to Major General Douglas A. Farnham, Commissioner of the Department of Defense, Veterans and Emergency Management, and The Adjutant General of the Maine National Guard, an invitation to attend the Joint Convention and to make such communication as pleases him.

Thereupon the House voted to concur in the proposal for a Joint Convention to be held at 10:45 in the morning and the Speaker appointed Representative TERRY of Gorham to convey this message to the Senate.

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

SPECIAL SENTIMENT CALENDAR

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

In Memory of:

the Honorable Charles Kent, of Benton. Mr. Kent worked 14 years as a diesel locomotive mechanic in the piping department of the Central Maine Railroad in Waterville before working in the Fairfield Woolen Mill. He also was a dairy farmer, farming 100 acres of land and milking 80 head of cattle for 25 years and selling hay for another 10 years. He served the Town of Benton as its first selectman for 28 years, working in the role of overseer of the poor and road commissioner for many of those years. In this time, he established and chaired the town planning board and was a member of the town budget committee. His accomplishments include initiating construction of the 8-room elementary school with gymnasium in 1957; replacing 14 wells in 1973 by hooking up a public water line from China Lake; securing financing to enable Benton to join the Kennebec Sanitary Treatment District; constructing a salt and sand shed; and building a new town hall. He served in the Maine House of Representatives during the 101st Legislature. In 2014, he received the Boston Post Cane and was presented an honorary Lawrence High School diploma in 2015. He was a member of the Fairfield Lodge of Odd Fellows; Benton and Clinton

Methodist Churches; Waterville Elks B.P.O.E. #905; Siloam Lodge #92; Scottish Rite Bodies, Augusta; Maine Consistory 32nd Degree, Portland; Shriners, Lewiston; and Benton Grange, where he was master for 3 years and conductor of the 4th degree. He served Kennebec Water District as a trustee and as president of the board of trustees. Mr. Kent will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

(HLS 296)

Presented by Representative RUDNICKI of Fairfield.

Cosponsored by Senator FARRIN of Somerset.

On **OBJECTION** of Representative RUDNICKI of Fairfield, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **RUDNICKI**: Thank you, Madam Speaker. It's an honor to stand before you and recognize the Honorable Charles Kent of Benton. Mr. Kent lived a full life. From working on the Central Maine Railroad to the Fairfield Woolen Mill to being a dairy farmer and serving the Town of Benton on the select board for 28 years.

Reading from Charles's obituary, quote, Charlie was born during a pandemic, lived through major agricultural, industrial and societal changes before breathing his last breath during a pandemic. The pop-up toaster, shortwave radios and arc welders were invented in 1919 and Woodrow Wilson was his President. From tilling the land with horses to the use of GPS systems on tractors to plant and harvest huge crops, Charlie has witnessed how technology has changed the efficiency and economics of farming. Few towns have had the good fortune of having such a dedicated servant as Charles was to his beloved town of Benton, end-quote.

Mr. Kent had many accomplishments, including one that was previously mentioned, of initiating construction of an eight-room elementary school with a gymnasium in 1957 for \$95,000 including donations, land, time, equipment and money. And just so that you know, the base of that school is still being used as Benton Elementary today. His representation on the Farm Bureau and the Maine Municipal Association legislative Committees while serving two years in the 101st Maine Legislature as the Welfare Committee Chairman benefitted the townships of Albion, Benton, Clinton, Sidney and Unity greatly. In 2014, he received the Boston Post Cane. In 2015, while I was serving as the MSAD 49 School Board Chair, I had the honor of presenting Charles Kent with an honorary Lawrence High School diploma. And, as previously said, Charles Kent will be long remembered and sadly missed by his family, friends and all those whose lives he touched. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Albion, Representative Cyrway.

Representative **CYRWAY**: Thank you, Madam Speaker and Ladies and Gentlemen of the House. I did want to stand up and speak a little bit about the Honorable Charlie Kent.

I grew up in Benton and our family farm surrounded the town of; of the Benton Elementary School. We had 500 acres all together but my father got to be Selectman as well and Charlie and him, they sometimes agreed on a lot of things and they also locked heads and they made the newspapers all the time and everybody made a big kind of thing out of it in the town of Benton and so it was kind of neat. But I will say, you know, I'm also a member of the Benton Grange and I've known Charlie a long time. Actually, I brought him lobster a while back at his house and I've seen him dance, at 101 he was dancing with a girl in the Grange Hall. So, and I took a picture of it and I sent it

to him and he was so happy about that. But I will say that the family is amazing, because I don't know of one of the Kents that haven't been involved in the communities. And, you know, I really think that it's amazing how it kind of, you know, someone like Charlie kind of sent a vibration to the family to make it to the point where everybody got interested in being community leaders. And so, I just commend all the Kents in the family, how they have taken leadership roles. And so, I couldn't just sit here and not say something. So, thank you to the Kent family and thank you, ladies and gentlemen, for listening.

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

Subsequently, Representative TERRY of Gorham reported that she had delivered the message with which she was charged.

At this point, the Senate came and a Joint Convention was formed.

In Convention

The President of the Senate, the Honorable Troy D. Jackson in the Chair.

The Convention was called to order by the Chair.

On motion of Senator VITELLI of Sagadahoc, it was ORDERED, that a Committee be appointed to wait upon Major General Douglas A. Farnham, Adjutant General of the Maine National Guard and Commissioner for the Department of Defense, Veterans and Emergency Management; and the Honorable Janet T. Mills, Governor of the State of Maine; to inform them that the two branches of the Legislature are in Convention assembled, ready to receive such communication as the Major General may be pleased to make.

The Chair appointed:

- The Sen. from Kennebec, Senator HICKMAN
- The Sen. from Cumberland, Senator BRENNER
- The Sen. from Androscoggin, Senator TIMBERLAKE
- The Rep. from Bangor, Representative SUPICA
- The Rep. from Westbrook, Representative RIELLY
- The Rep. from Portland, Representative COLLINGS
- The Rep. from Biddeford, Representative MALON
- The Rep. from Gardiner, Representative MONTELL
- The Rep. from Paris, Representative ANDREWS
- The Rep. from Poland, Representative BOYER
- The Rep. from Waldo, Representative HYMES
- The Rep. from Fairfield, Representative RUDNICKI
- The Rep. from Harrison, Representative RISEMAN

Subsequently, Senator HICKMAN, for the Committee, reported that the Committee had delivered the message with which they were charged, and they were pleased to report that Major General Douglas A. Farnham would attend forthwith.

The Chair welcomed Major General Douglas A. Farnham, Adjutant General of the Maine National Guard and Commissioner for the Department of Defense, Veterans and Emergency Management; and the Honorable Janet T. Mills, Governor of the State of Maine to the Convention.

The Chair recognized in the Gallery, the Honorable Nichi Farnham, wife of the Commissioner; Members of the Army and Air National Guard; and Members of the Department of Defense, Veterans and Emergency Management.

The Chair requested the Adjutant General of the Maine National Guard, Major General Douglas A. Farnham, to please step forward and address the Joint Convention.

Adjutant General **FARNHAM**: Thank you. Thank you. President Jackson, Speaker Talbot Ross, and Members of the 131st Legislature and distinguished guests, it's great to be back. After missing the last couple years, you never know when you're going to get the chance to do that again, so I had to tag the podium. It may ensure I never do come back, I'm not sure.

Thank you for the honor to address this assembled Joint Session. Fellow airmen, soldiers and department civilians, representing you at events like this is the best part of my job. And I know that the reason I'm given this opportunity today is due to the respect that this Legislature has for the commitment and sacrifice you represent every day. I'm also appreciative that Governor Mills still allows me this honor and privilege.

I last stood here on February 8th of 2020. A lot has happened since then. So, to keep this timely, I had to cut out all the jokes. I think I just heard somebody from the Navy have a sigh of relief. Well, that day in February of 2020, I stood before the 129th Legislature and I wanted to remind them of the capabilities of the National Guard during a State response. We filled the Hall of Flags with equipment and information tables and pulled our mobile command posts and other emergency response vehicles up outside the building so that they could be toured. While other states with hurricanes and wildfires respond in state almost annually, sometimes more, it had been since the ice storm of 1998 that we activated the National Guard for a response in the State of Maine. Little did I know we would get that chance less than a month later.

While most have moved on from COVID, the fact that Thursday is the official end of the COVID emergency does require a little reflection. Take a moment to reflect on the lives lost and families affected. Think of the toll on students and teachers, businesses, first responders, nursing homes, hospital staff and many more. I also choose to think about the thousands of volunteers, businesses, State workers, truck drivers, grocery store clerks, essential and nonessential personnel. All who played their part or found a part to play. And it wasn't any single entity, it was truly a whole-State response. We all worked harder or showed patience or pitched in or simply got out of the way.

Today, I will start with the Maine Bureau of Veterans' Services under the leadership of Director Dave Richmond. They continue to play an important role in ensuring that our veterans receive the support they need. Our staff at the Bureau is dedicated to connecting veterans and their families to their earned benefits. This includes a range of services including navigating the federal VA system, employment assistance, furthering their education, housing support, financial assistance and more. Last year, when Governor Mills accepted the invitation to join the National Governor's Challenge, an initiative which includes several states across the country for working on community-centric solutions to reduce veteran suicide, she called on the Maine Bureau of Veterans' Services to lead the effort. The team is made up of leaders in several departments of State government, the VA, veteran service organizations and other partners. They have worked to provide collaborative and innovative measures to identify veterans in our State and connect them with benefits and resources that can help them.

They have developed options for the safe temporary storage of firearms and medications and as part of this challenge, along with our VA and veteran allies, they have been hosting veterans and family expos across the State.

Providing financial aid to veterans through the Veterans' Emergency Financial Assistance Program to Maine veterans who demonstrate a financial need or hardship has continued to be an important program. One notable accomplishment was obtaining a \$750,000 federal grant from the VA to support local veterans through the Staff Sergeant Parker Gordon Fox Suicide Prevention Grant, focused on supporting Maine's efforts to reduce veteran suicide rates and improve mental health care for veterans. Also in 2022, the Bureau received a VA Abraham Lincoln Pillar of Excellence Award, recognizing the Maine Veterans Dental Network, an initiative to provide free dental services to veterans across Maine. This government-funded program provided comprehensive dental services for 357 veterans last year alone and continues to provide dental care through the generous financial sponsorship of Northeast Delta Dental and the Maine Masonic Charitable Foundation.

One of the biggest challenges the Bureau continues to face is veteran homelessness. With our Homeless Veteran Coordination Program, we have partnered with services-based organizations to provide transitional housing to homeless veterans and coordinate efforts to remedy and prevent homelessness among veterans. The Bureau continues to organize mobile homeless veteran stand-downs across the State to provide homeless or at-risk veterans necessary access to housing, winter clothes, nonperishable foods and other available resources. The two employees who were on the frontlines of the Bureau's efforts to help homeless veterans and who worked tirelessly to coordinate with our partners to find shelter for veterans are here with us today; Tom Pangborn and Matt Kennedy. Thank you both for your dedicated service.

Pete Rogers became the MEMA director on March 9, 2020, just six days before Governor Mills' emergency declaration. So, until this Thursday, those are the only six days that he's worked not under some sort of emergency declaration. While COVID-19 has left the headlines, his staff at Maine Emergency Management Agency is still hard at work coordinating recovery efforts and learning from the agency's response over the last two years. Several areas were identified through a comprehensive after-action report to include the importance of emergency planning and the need for more joint exercises among key stakeholders. In terms of recovery costs, COVID-19 has far surpassed any other disaster in the State's history. MEMA staff has worked with State, local and nonprofit partners to pass through over \$266 million in federal reimbursement for COVID-19 activities under the Stafford Act. For comparison, the ice storm of '98 saw reimbursements totaling around \$49 million. This money has gone to over 320 applicants, including many of Maine's towns and hospitals.

Normal emergency responses didn't stop. Recently, MEMA coordinated to secure another Presidential disaster declaration in 2022, this time for Winter Storm Elliott. This major storm saw damaging winds and significant rain, ultimately leading to enough damage to justify a disaster declaration for seven Maine counties. Over \$3 million to date have been validated in damages to Maine communities. Over the next several years, MEMA staff will work to administer funds associated with this declaration, along with four other legacy declarations, and it looks like last week's flooding may result in another. Despite ongoing response and recovery activities, the staff couldn't forget the 'prepare' part of their mission, focused on the next disaster through education, awareness and targeted

grant opportunities. In 2022, we saw the return of the Maine Partners in Emergency Preparedness Conference following a three-year hiatus due to COVID. This event attracted over 400 attendees and expert speakers and served as the kickoff to the National Preparedness Month. To put their money where their preparedness messaging is, MEMA worked to administer Homeland Security grants, hazard mitigation grants and emergency management grants totaling several million dollars to counties and communities across the State. The agency's efforts in 2022 included launching a new grant project to put generators in key facilities like fire stations and shelters across 45 municipalities in Maine. Throughout all this, MEMA spoke up in 2022. Not only did they distribute numerous press releases and public service announcements reminding citizens that individual preparedness is critical, it has become apparent that requirements of compounding, more frequent, and costly emergencies required additional assets. Accordingly, we did make a more aggressive ask in this biennial budget. Expectations for MEMA have grown with the increased complexity of disaster emergencies and increased recovery requirements. Adequate funding is necessary to prepare and serve Maine and follow their vision statement for a ready and resilient Maine.

The Maine National Guard is comprised of over 2,900 Air and Army Guard men and women serving in units throughout the State. We have over 900 full-time members, contributing to day-to-day operations plus organizing, training and equipping the part-time force for our federal mission. Approximately two-thirds of our force consists of the traditional or part-time soldiers and airmen. I always hesitate to use the term "part-time" because these members need to live up to the same requirements and training as full-time and active-duty members. Our federal payroll alone exceeds \$130 million. This is to recruit, organize, train and equip our soldiers and airmen for our federal mission. The byproduct of this federal mission and our investment and our unique legal status under the Constitution is that we can also provide emergency response capabilities for the Governor at home. We are proud of the State mission as well as the federal mission at home and deploying across the globe.

Today's Maine Air National Guard is commanded by Brigadier General Frank Roy and the Air Guard Senior Enlisted Leader is Chief Master Sergeant Ryan Cote. The Joint Force Headquarters located at Camp Chamberlain here in Augusta is home to 31 airmen, to include the Senior Air National Guard leadership. The 101st Air Refueling Wing, which this past year celebrated their 75th anniversary, is located in Bangor, where they are assigned 10 KC-135 air refueling aircraft. The MAINEiacs are led by Wing Commander Colonel Ian Gillis and Wing Command Chief, Chief Master Sergeant Stan Niedorowski. They are proud to lead 870 of the most innovative airmen in the Air Force. In 1923, a hundred years ago next month, a 50-foot rubber hose was dangled from one airplane to another to attempt air refueling for the first time. Forty years later, in 1963, our oldest KC-135 was built. Now, 60 years later, we're still flying the KC-135. However, the air refueling mission has never been more relevant as we plan for the vast distances in the Pacific as our attention shifts to deterring China. The KC-135 will be flying well into the future. It is often said that the last KC-135 pilot hasn't been born yet. The Wing has been very focused on telling their story of excellence, innovation and tradition, combined with the strategic geographic location to ensure they transition to a newer aircraft like the KC-46 in the near future. Additionally, the Wing is leading the way in the Guard using 3-D printing for innovative solutions in aircraft

maintenance and our partnership with the Bangor International Airport supporting transient military aircraft continues to be an innovative way to capitalize on the strategic geography of our shared runway. In addition to the more familiar 24/7 Homeland Defense Tanker Alert and overseas deployment operations, the Wing also flies other relevant and interesting missions. This past year, the 101st flew over 229 hours from Bangor, supporting fighter and bomber movements for U.S. and NATO aircraft. In addition to air refueling in the air, many missions in the KC-135 involved airlifting crew and cargo. This past February, we transported over 40 Maine Army National Guard soldiers to participate in a Joint Force exercise in Montenegro. In April, we transported New Jersey National Guard members to Albania to participate with their State partner in a joint Albanian exercise. Later this month, we will be providing airlift of 11,000 pounds of firefighting equipment to Paraguay, the Massachusetts State partner, in support of humanitarian relief. And in June, the MAINEiacs will participate in German Air Defender, one of the largest Air National Guard aircraft movement exercises in history. As part of German Air Defender, we will be providing over 30 sorties as fighter aircraft move over the North Atlantic.

Bangor isn't the only location of our innovative airmen. We also have two squadrons in South Portland, the 265th Combat Communication Squadron and the 243rd Engineering Installation Squadron. Just this past Sunday, the 265th was presented the Air Force Outstanding Unit Award for their achievement in expeditionary communications. With their 105 airmen, the 265th is critical to the future of U.S. Air Force agile combat support as a third of them prepare to deploy next year. Like the 265th, the 243rd has been all over the world engineering and installing fixed communications networks for various DOD and national agencies. In February, they had 30 members return from a six-month deployment supporting the communication networks for partner nations in Europe, Africa and the Middle East.

Outstanding airmen continue to enhance the reputation of the MAINEiacs. First is the story of Staff Sergeant Deborah Bertoni who recently returned from her deployment with the 243rd to Ali Al Salem Air Base in Kuwait. Staff Sergeant Bertoni speaks an astonishing six languages but it was her knowledge of the Italian language that was most helpful in coordinating critical communication support to Joint Forces at Ali Al Salem. U.S. forces relied on Sergeant Bertoni to not only produce translated signs and documents but she was also instrumental in reconstituting critical telecommunication lines that were previously inoperable. Sergeant Bertoni was able to rapidly resolve issues impacting the Italian Air Force's ability to deploy typhoon fighter aircraft. The Maine National Guard became true partners with the Italians.

Next is a story born of COVID-19 when our Wing medical teams built personal relationships with sailors and staff at Bath Iron Works through COVID-19 vaccination missions. The relationship led to airmen providing medical readiness screenings and exams for dental and vision for the Navy crew stationed with the USS Inouye last year and currently the USS Carl Levin. This makes Maine-built ships not just best built but also the most medically ready upon delivery to the U.S. Navy. This probably would've been a good place for a Navy joke but I cut those all out.

We're lucky to have people like Tech Sergeant Ryan Freeman, who is an Air National Guard Command Post Controller and a Brewer police officer. Tech Sergeant Freeman recently received the Brewer Police Department's Award for Meritorious Service for his contributions to the department and

community that led to improved operations and more efficient and effective policing services. Please help me in thanking Tech Sergeant Freeman, Sergeant Bertoni, and Colonel Howard Jones representing the medical teams who are here today.

The Maine Army National Guard is comprised of 1720 soldiers from across the State. They are led by Brigadier General Dean Preston and State Command Sergeant Major Brian Dill, soon to be succeeded by Sergeant Major Alexander Clifford. Sergeant Major Clifford comes to the top enlisted job from his civilian position as Vice President of Academic and Student Affairs at the Maine College of Health Professions and we look forward to all he will bring to our State Command Team. The Maine Army National Guard has been engaged in many ways. From October 2020 to 2021, 120 soldiers from Sanford's 262nd Engineering Company were deployed to Arizona in support of U.S. Customs and Border Protection. Their mission was immediately followed by another 120 soldiers from the 488th MPs who headed to the border and performed a nearly identical mission from October 2021 through November of 2022. From March of '21 to January of 2022, 125 infantrymen from Brewer's Mountain Company completed a combat deployment supporting security operations in the Horn of Africa. In February of 2023, 33 soldiers deployed from our detachment of the 142nd Aviation Regiment to the Middle East where they will remain deployed until next winter, providing Black Hawk support for humanitarian assistance, potential security operations and multinational training events. And, most recently, in March, 82 soldiers from Bangor's 120th Regional Support Group returned from a 10-month deployment to Poland and other Baltic states in support of Operation Atlantic Resolve, both for multinational training and a show of force as part of our Department of Defense's European Defense Initiative, strengthening NATO resolve and capability. I don't think that the soldiers in this region had any trouble feeling relevant this past year. Representing the entire 120th here today is their Commander, Colonel Jim Young. Please help welcome them home.

While preparing soldiers for the federal missions and upgrading to the new "Mike" model Black Hawk helicopter, our Bangor Army Aviation remains on call for domestic responses as well. Within the last two years, Army Aviation has supported six domestic responses to include hoisting a 13-year-old hiker with medical conditions from Baxter State Park's Abol Trail as well as two hikers from Knife Edge in some challenging weather conditions.

On the Army facilities front, one of the major projects is the Woodville training site. This site will reduce travel time and increase training time. Significant construction has been completed in Woodville on roadways, multipurpose buildings, a small arms range and light demolition range, all with the careful consideration of protecting the region's natural resources. In fact, the Maine Army National Guard won first place for natural resource conservation for small installations in the 2022 Secretary of the Army Environmental Awards. Specifically, for balancing development objectives with the protection of over a thousand acres of wetlands and critical habitat for endangered species such as the Atlantic salmon and Canadian lynx. Here today representing the team are Mr. Paul LaPointe, project manager, and Mr. Andrew Flint, environmental manager. Please join me in thanking them and their whole team for their dedication to future training.

Nearing completion is a \$3.2 million maintenance facility addition in Auburn and \$2.6 million more in funding has been secured for additional bays for this facility in 2024. We also started a \$27 million major military construction project in Saco for a joint vehicle maintenance facility for both the Air and Army

National Guard. Also by the end of the year, we will start a partial renovation of the Waterville Armory, while preserving its historical features and another partial renovation of the Bangor Armed Forces Reserve Center. We will also be installing \$1 million worth of EV chargers across the State, from Presque Isle to Sanford, that will be available to the public for use. These will be level 3 and level 4 chargers. And it's not just because I drive a Tesla, although that might've gotten me reappointed to the Governor's Climate Council last week, I'm not sure. Actually, I just like the jet-like acceleration and it has an autopilot, so.

Some topics are joint, both Army and Air, and none more important than those involving our people. Near the end of April, the Department of Defense released its annual report on sexual assault in the military. In the accompanying letter, the Undersecretary of Defense stated sexual assault and sexual harassment remain persistent and corrosive problems across the total force. I have been very clear; this sexual assault and sexual harassment is incompatible with military service and is not compatible with the values of the Maine National Guard. Through the Governor's Advisory Council on Military Sexual Assault and reports to the Legislature, we have shared the significant changes in investment of resources that have been applied to this effort. One of the most promising is our new integrated primary prevention program, or IP3. It is the most proactive effort to date and is spearheaded by five new federal positions to take holistic public health view on preventing harmful societal behaviors that affect our military; substance abuse, depression, sexual assault, suicide, family and workplace violence. The military has the same issues as the society we come from. Remember, two-thirds of our force are not full-time. They take the training and awareness back with them to the schools, civilian workplaces, homes and communities, helping all to improve. Reach out if you would like more information on our programs, training or policies. Some are best practices in the field. I want you to be as confident in our programs and policies as I am. It would be hard to find another entity expending more time, energy and resources to combat these persistent societal problems. Specifically, in the area of sexual assault, I am committed to continuing work with the Legislature and remain proud of the efforts and commitment that our professional staff, commanders and leaders are making in the prevention, supporting victims and holding members accountable for their actions.

Another significant joint event was the COVID response. Nearly 700 soldiers and airmen were mobilized for some type of COVID support, up to 400 serving at one time. This was the largest domestic activation in the history of the Maine National Guard. Working in support of the Maine CDC and MEMA, the Guard coordinated logistic support for storage, inventory and distribution of PPE, testing supplies and vaccines from Kittery to Caribou. In one instance, this included transporting thousands of vaccines up to Maine from Pennsylvania when supplies were critically low. Soldiers and airmen deployed across the State to conduct N95 fit testing and provide deep cleaning and sanitation of long-term care facilities and supported drive-through test sites in four cities. We provided case mapping, vaccination sites and mobile vaccination teams and ultimately provided nonclinical support to hospitals to help decompress medical facilities. At one point, I was told; I finally figured out the Guard. You are a Swiss Army knife. Give you the time to organize and you can do anything.

To make this time really interesting, we got a very short-notice mission to deploy following January 6th, 2021. The Maine National Guard was tasked with providing 200 soldiers to Washington, DC, to ensure a peaceful transfer of power at the inauguration. Maine soldiers from Norway's 251st Engineer Company, Presque Isle's 185th Engineer Company, Lewiston and Skowhegan's 136th Engineer Company and a few others were activated. All 54 states, territories, and the District of Columbia sent a portion of their Guard. Over 25,000 guardsmen arrived in DC in a matter of days. The logistics were impressive. Red states, blue states, it didn't matter. Everyone knew that this was a National Guard mission to uphold the Constitution as we had all raised our hand to swear we would do. As our Maine soldiers boarded an Air National Guard tanker for their ride to DC; yes, this was a joint effort, too; I asked many of them where they were when they got the call. The call that said they needed to depart in 48 hours. Most were at school or at work. They had to tell their employer or their instructors that they would not be back tomorrow and didn't know when for sure they would. Then they went home and told their families the same. And in every case, employers and families understood. As I repeat often, as often as possible, our business model relies on the support of employers and families. I know some of you in the room today are in one of those categories, so thank you.

Employer support was also important during the COVID response. A couple days after we mobilized for the hospital support, I was at a local car dealer. I received a friendly reminder that it was painful to lose a trained mechanic to the hospital, even for just a few weeks. I got back to the office and got a call that school district officials had called DOE because we were mobilizing a bus driver that they needed, and another because we were mobilizing their only Physics teacher. Every time we mobilize, it is at the expense of employers and families, and that decision must be balanced. There is no lack of ideas on how to use the Guard. School bus driving, supervising, homeless shelters, substitute teaching, prison guards, unemployment call centers. Others have realized that we are a Swiss Army knife, too. I even heard over the holidays a Congressman that had the innovative idea to use the National Guard to sort out the Southwest Airlines luggage mess. One of my jobs is to lay out the second and third-order effects of using the Guard and help the State find the right balance. All of us appreciate Governor Mills and my fellow Commissioners' role in that balanced use of the National Guard.

The National Guard State Partnership Program makes the National Guard a major strategic player on the international stage. Our State partnership with Montenegro continues to flourish. In April of '22, Maine ranked third in the National Guard rankings of our 92 programs and first out of the 22 European countries involved. The invasion of Ukraine has highlighted the importance of the NATO alliance, strategic partners and the need for international cooperation. This December, Maine will be celebrating our 17th anniversary of the partnership with Montenegro. Over the last two years, Maine has participated in 35 events to strengthen relationships and improve collaboration with our partner nation. These events include subject matter expert exchanges with focus on emergency response, search and rescue, mountain warfare, medical treatment and other high-priority lines of effort. In September 2022, a joint team of 18 Maine Air and Army Guard cyber specialists rapidly deployed to Montenegro to aid and assist after foreign aggressors hacked networks and interrupted government services. They leveraged previous relationships to work directly with the U.S. Embassy and Montenegro ministries. The Maine National Guard team analyzed networks, identified vulnerabilities, provided on-the-

spot corrections where possible and delivered extensive recommendations to improve cybersecurity. This response was even highlighted in the national cybersecurity strategy as a model of support to allies which will advance U.S. foreign policy and cybersecurity goals.

Another joint issue is recruiting. Services have dramatically missed recruiting goals across the active Guard and reserve components. While our retention is above historic averages, new recruits fall short. For the Army Guard, only one state met recruiting goals last year, and it wasn't Maine. On the Air Guard side, only four states actually added more airmen than they lost. Maine was one of those but we are still short. Eligibility challenges and shrinking population of 17- to 24-year-olds will continue to challenge recruiting. The Legislature has been helpful with the tuition assistance and I know you will continue to be receptive to innovative ways to assist. Some new efforts were included in our budget request this biennial. Basically, anything that improves health, education, mental health, nutrition and fitness and preventing drug abuse of young Mainers not only helps our recruiting pool but also helps the entire State and nation. Recruiting challenges particularly in the Army Guard force us to take a hard look at our force structure. Do we have the right types of units that young recruits want to join? Do we have the relevant units with modern equipment to encourage retention? And do we have units that provide the correct mix of capabilities for the Governor? We need to continually ask ourselves these questions to stay relevant and right-sized.

I tried to give you a broad look at the department and National Guard, but there's so much more that I could talk about, like our civil support team, counterdrug program, or our efforts to expand our Arctic capabilities, or Chief Master Sergeant Kelly Hoffsis, formerly a DHHS employee, who is now serving as a senior enlisted leader for the director of the joint staff at the National Guard Bureau, or the revamped Governor's aid to camp program. I could go on, but I'll cut it a little bit short.

When we aren't deployed, our job is to be ready. It's an important time to be ready. Our national defense strategy calls this the decisive decade and it's clear that we are in a strategic competition with China and face threats and challenges to stability from Russia and others. And it's more than just the military; it's technology transfer, regional influence, economic espionage, gray-zone warfare and cyber and disinformation and influence campaigns. Our adversaries are focused on undermining and changing the rules-based international order that has been in place since the end of World War II. It isn't just Ukraine, it isn't just Taiwan or just the Arctic or just open navigation of the South China Sea. It is a competition and we need to compete. Understanding what losing this great power competition means to the peace, prosperity and prestige of the United States is important. The leadership in the Maine Guard is charged with ensuring that our airmen and soldiers are trained, equipped and motivated so that wherever the threat, wherever the fight, they are ready. Only a ready force, willing and capable to fight and win, can deter those who threaten our way of life. That is your Maine Guard in its federal role.

Finally, I spend a lot of my time thanking our airmen and soldiers for choosing to serve. And, yes, it is a choice. They choose to serve knowing the risks and the inconveniences. But we get thanked often. But it is also a choice for our department civilians and all State employees to serve their State. It is a choice to fill local, State and national positions in government. It is a choice to step up and lead community organizations, school systems, or be a first responder or a health care worker or a Little League coach. So, on behalf of the soldiers and airmen of

the Maine National Guard and the entire department, thank you for making the choice to serve your State, districts and communities in the State Legislature. I appreciate this opportunity to represent the department and our National Guard. I am honored to serve beside them as your Commissioner and Adjutant General. Thank you.

At the conclusion of the address, the Adjutant General withdrew amid the applause of the Convention, the audience rising.

The purpose for which the Convention was assembled having been accomplished, the Chair declared the same dissolved.

(After the Joint Convention)

The House was called to order by the Speaker.

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

SENATE PAPERS

The following Joint Resolution: (S.P. 760)

JOINT RESOLUTION RECOGNIZING

APRIL 30, 2023 TO MAY 6, 2023

AS NATIONAL SMALL BUSINESS WEEK

WHEREAS, America's strongest economic growth in almost 40 years has been driven by the resilience of our small businesses, which continue to pioneer innovative solutions to our country's greatest challenges and create opportunities for families and workers; and

WHEREAS, small businesses remain the heartbeat of our communities and the American economy, employing more than half of our Nation's workers, inventing and innovating to launch new technologies and create new American-led industries, enriching our Main Streets, making parts and products in America to fuel our supply chains and building our Nation's infrastructure; and

WHEREAS, over 99% of all Maine businesses are small businesses, including loggers and truckers; guides and lodge owners; fishing operations and other businesses on Maine's working waterfronts; restaurants, bakeries and farms of all kinds; manufacturers; artists; and many more; and

WHEREAS, entrepreneurship continues to be one of the best pathways to the American Dream, evidenced by the remarkable small business boom, with more than 10.5 million Americans applying to start a business since January 20, 2021, a number greater than in any other 2-year period in American history; and

WHEREAS, by renewing our commitment to supporting small businesses, we can build a stronger Maine where everyone can succeed, from the bottom up and middle out; and

WHEREAS, the President of the United States has proclaimed National Small Business Week every year since 1963 to highlight the programs and services available to entrepreneurs through the United States Small Business Administration and other government agencies; and

WHEREAS, Maine supports and joins in this national effort to recognize the contributions of small businesses to the American economy and their importance in ensuring that our local communities remain as vibrant tomorrow as they are today; 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, recognize April 30, 2023 to May 6, 2023 as National Small Business Week.

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

READ and **ADOPTED** in concurrence.

The following Joint Order: (S.P. 768)

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

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

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

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

WHEREAS, the Constitution of Maine, Article IV, Part Third, Sections 1 and 4 grant the Legislature the exclusive authority to set its own rules of procedure, including such rules establishing the manner in which initiated bills may be presented to the Legislature for consideration; and

WHEREAS, between the convening of the 131st Legislature and March 22, 2023, the Secretary of State certified as valid 4 measures proposed by electors; and

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

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

WHEREAS, before any measure thus transmitted was produced as a legislative document and presented to the Legislature, the First Regular Session of the 131st Legislature adjourned on March 30, 2023; and

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

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

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

WHEREAS, on April 10, 2023, 2 of the measures, as prepared by the Office of the Revisor of Statutes, were transmitted to the Clerk of the House, given Legislative Document numbers, L.D. 1610 and L.D. 1611, and ordered printed by the Clerk of the House with the following statement "Transmitted to the Clerk of the 131st Maine Legislature by the Secretary of State on April 10, 2023 and ordered printed."; and

WHEREAS, these 2 measures were placed on the Advance Journal and Calendar of the House of Representatives and presented to the Legislature on April 11, 2023; and

WHEREAS, those 2 measures had not previously been printed and presented to the Legislature in either the First Regular Session or the First Special Session of the 131st Legislature; and

WHEREAS, Rule 401 of the Joint Rules of the 131st Legislature provides that a bill or resolve is not considered to be "in the possession of the Legislature" until "after it is printed"; and

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

WHEREAS, there are now questions before the Legislature regarding the constitutionality of those proclamations and the efficacy of any actions the Legislature may take to enact the measures; and

WHEREAS, as it considers action on the initiated bills, it is important that the Legislature be informed as to the legal questions raised in this order; now, therefore, be it

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

Question 1. Is the mere transmittal of a measure by the Secretary of State sufficient to constitute "present[ation] to the Legislature" within the meaning of the Constitution of Maine, Article IV, Part Third, Section 18, Subsection 2, notwithstanding that at the time it was transmitted the measure did not exist as a legislative document, had not been printed pursuant to Joint Rule 401, had not appeared on any legislative calendar, and that neither the full House nor full Senate were made aware that the measure was in possession of the Legislature until approximately 53 days after transmittal?

Question 2. If the answer to Question 1 is in the affirmative, did the Constitution of Maine, Article IV, Part Third, Section 18, Subsection 2 preclude the 131st Legislature, as assembled in the First Regular Session, from carrying the measure over for consideration in the First Special Session?

Question 3. If the answer to Question 2 is in the negative, does the Legislature's Constitutional power enumerated in Article IV, Part Third, Section 1 to "make and establish all reasonable laws and regulations for the defense and benefit of the people of this State" include the power to consider and enact the measure into law during the First Special Session?

Question 4. If the answer to Question 3 is in the affirmative and a measure is thus enacted by the First Special Session of the Legislature without change, must the identical measure identified in a Proclamation executed by the Governor on April 7, 2023 "not go to a referendum vote" pursuant to the Constitution of Maine, Article IV, Part Third, Section 18, Subsection 2?

Question 5. If the answer to Question 4 is in the negative, is a bill thus enacted by the First Special Session of the Legislature a competing measure to an identical measure placed on the ballot by proclamation of the Governor on April 7, 2023, as described in the Constitution of Maine, Article IV, Part Third, Section 18, Subsection 2?

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

On motion of Speaker TALBOT ROSS of Portland, the Joint Order was **TABLED** pending **PASSAGE** and **specialy assigned for Thursday, May 11, 2024** pursuant to House Rule 513.

Non-Concurrent Matter

Bill "An Act to Require Compliance with Natural or Agricultural Resource Protection Ordinances"

(H.P. 29) (L.D. 54)

Unanimous **REFER TO THE COMMITTEE ON HOUSING** Report of the Committee on **LABOR AND HOUSING READ** and the Bill and accompanying papers **REFERRED** to the Joint Select Committee on **HOUSING** in the House on May 2, 2023.

Came from the Senate with the Unanimous **REFER TO THE COMMITTEE ON HOUSING** Report of the Committee on **LABOR AND HOUSING READ** and **REJECTED** and the Bill and accompanying papers **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** in **NON-CONCURRENCE**.

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

COMMUNICATIONS

The Following Communication: (H.C. 161)

**DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT
33 STATE HOUSE STATION**

CAMP CHAMBERLAIN, AUGUSTA, MAINE 04333-0033

April 24, 2023

The Honorable Troy D. Jackson

President of the Senate

3 State House Station

Augusta, Maine 04333-0003

The Honorable Rachel Talbot Ross

Speaker of the House

Room 303, State House

2 State House Station

Augusta, Maine 04333-0002

Dear Mr. President and Madam Speaker:

As the Commissioner of the Department of Defense, Veterans and Emergency Management and the Adjutant General of the Maine National Guard, I accept your invitation to address the Joint Session of the 131st Maine Legislature on Tuesday, May 9th at 10:45 a.m.

Sincerely,

S/Major General Douglas A. Farnham

Commissioner and Adjutant General

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 162)

**STATE OF MAINE
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0001**

May 8, 2023

The Honorable Troy Jackson

President, State of Maine Senate

#3 State House Station

Augusta, ME 04333

The Honorable Rachel Talbot Ross

Speaker, State of Maine House of Representatives

#2 State House Station

Augusta, ME 04333

Dear President Jackson and Speaker Talbot Ross:

Thank you for your invitation to a Joint Session of the 131st Maine Legislature for the State of the Defense, Veteran's Services, and Emergency Management address to take place on May 9th at 10:45 a.m. in the House Chamber.

I am pleased to accept your invitation.

Sincerely,

S/Janet T. Mills

Governor

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 159)

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

May 9, 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:"

Education and Cultural Affairs

L.D. 67 An Act to Increase the Number of Educational Professionals by Accepting Out-of-state Certification

L.D. 617 An Act to Foster Career and Technical Education in Maine Schools by Creating an Additional Pathway to Certify Industrial Arts Teachers

L.D. 712 An Act to Extend or Waive Requirements for Certain Teaching Certificates

L.D. 1020 Resolve, Directing the Department of Education to Update Course Requirements for Certification of Industrial Arts Teachers and to Finally Adopt Major Substantive Rules

L.D. 1300 An Act to Give the Governing Board of a Municipality Input into the Budget Developed by a School Board Environment and Natural Resources

L.D. 304 An Act to Establish Statewide Standards for Perfluoroalkyl and Polyfluoroalkyl Substances

L.D. 1058 An Act to Advance Greenhouse Gas Removal as an Economic Development Strategy in Maine

L.D. 1171 An Act to Raise Funding to Support Waste Reduction, Reuse, Recycling and Composting in Maine

L.D. 1393 Resolve, to Establish the Commission to Examine Programs and Policies Regarding Natural Resources and Environmental Protection

L.D. 1470 An Act Regarding Transfers of Land in Resource Protection Areas
Inland Fisheries and Wildlife

L.D. 700 Resolve, to Direct the Department of Inland Fisheries and Wildlife to Examine the Northern Pike Population in Sabattus Pond

L.D. 1127 Resolve, Directing the Commissioner of Inland Fisheries and Wildlife to Create a Process for Real-time Confirmation of Live Bait Retailer's Licenses by Electronic Means

Judiciary

L.D. 1259 An Act to Recover Legal Fees for Low-income Individuals in Actions or Proceedings

L.D. 1414 An Act to Ensure Involvement of Adopted Youth in the Determination of Continuing Financial Support Under the Adoption Assistance Program

Labor and Housing

L.D. 571 An Act to Develop Maine's Entry-level Workforce

L.D. 1206 An Act to Create a Grant Program for Workplace Health and Safety Improvements

L.D. 1562 An Act to Protect the Retirement of State Employees and Teachers by Establishing Standards for Fiduciary Responsibility

L.D. 1580 An Act to Help Maine Small Businesses with Increasing Costs by Removing the Annual Cost-of-living Adjustment for the Minimum Wage

State and Local Government

L.D. 501 Resolve, Authorizing the Department of Administrative and Financial Services to Convey the Interests of the State in Certain Real Property Located in Machiasport

Taxation

L.D. 1380 An Act to Fund Municipal Administrative Costs Associated with the Senior Property Tax Stabilization Program

L.D. 1413 An Act to Amend the Laws Establishing a Property Tax Stabilization Program for Senior Citizens

L.D. 1650 An Act to Create a Tiered Senior Resident Homestead Exemption

Transportation

L.D. 135 An Act to Require Manure Bags for Horse-drawn Vehicles

L.D. 1351 Resolve, to Direct the Department of Transportation to Create a Program to Promote Transit and Transportation Research and Funding

L.D. 1374 An Act to Improve Driver Safety by Requiring the Completion of a Defensive Driving Course for Certain Violations

Veterans and Legal Affairs

L.D. 1327 An Act to Limit the Requirements Regarding Leadership Political Action Committees and to Promote Clean Election Transparency

Sincerely,

S/Robert B. Hunt
Clerk of the House

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

The Following Communication: (H.C. 160)

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

May 9, 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 Joint Standing Committee on Education and Cultural Affairs has approved the requests for "Leave to Withdraw" by the following sponsors:

Representative Bridgeo of Augusta

L.D. 18 An Act to Provide Ongoing Funding for up to 2 Years of Community College for Certain Maine Students

Representative Collamore of Pittsfield

L.D. 309 An Act to Ensure Equitable Access to All Higher Education Institutions

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

L.D. 546 An Act Regarding Child Abuse and Endangerment Pursuant to Joint Rule 310, the Committee on Housing has approved the request by the sponsor, Representative Shagoury of Hallowell, to report the following "Leave to Withdraw:"

L.D. 554 An Act to Continue the Rural Affordable Rental Housing Program

Pursuant to Joint Rule 310, the Joint Standing Committee on Veterans and Legal Affairs has approved the requests for "Leave to Withdraw" by the following sponsors:

Senator Timberlake of Androscoggin

L.D. 1292 An Act to Increase the Prize Limits Allowed for Raffles

Senator Brakey of Androscoggin

L.D. 1467 An Act to Establish the Maine Cannabis Research Committee and Facilitate Research into Alternative Therapeutics

Sincerely,

S/Robert B. Hunt

Clerk of the House

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Resolve, to Create an Advisory Council to Oversee the Review and Revision of the Maine Criminal Code and Other Statutes Establishing Criminal Offenses

(H.P. 1218) (L.D. 1903)

Sponsored by Speaker TALBOT ROSS of Portland.

Cosponsored by Senator BRAKEY of Androscoggin and Representatives: ANDREWS of Paris, FAULKINGHAM of Winter Harbor, KUHN of Falmouth, MOONEN of Portland, Senator: BENNETT of Oxford.

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

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

Sent for concurrence.

Bill "An Act to Increase the Transfer Fees on Petroleum Products and Direct the Proceeds to Efficiency Programs for Low-income Energy Consumers and Financial Assistance to Low-income Utility Ratepayers and Prevent Profiteering in and Hoarding of Fuel"

(H.P. 1223) (L.D. 1907)

Sponsored by Representative WARREN of Scarborough.

Committee on **ENERGY, UTILITIES AND TECHNOLOGY** suggested.

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

Bill "An Act to Enact the Safe Cosmetics Act"

(H.P. 1224) (L.D. 1908)

Sponsored by Representative WARREN of Scarborough.

Cosponsored by Senator DAUGHTRY of Cumberland and Representatives: GRAMLICH of Old Orchard Beach, O'NEIL of Saco, PLUECKER of Warren, RANA of Bangor.

Bill "An Act to Modernize Maine's Beverage Container Redemption Law"

(H.P. 1225) (L.D. 1909)

Sponsored by Representative HEPLER of Woolwich.

Cosponsored by Senator POULIOT of Kennebec and Representatives: LANDRY of Farmington, WHITE of Waterville, Senators: BENNETT of Oxford, BLACK of Franklin, CARNEY of Cumberland, HICKMAN of Kennebec, LIBBY of Cumberland, TIMBERLAKE of Androscoggin.

Bill "An Act to Amend the Returnable Beverage Container Program"

(H.P. 1226) (L.D. 1910)

Sponsored by Representative CROCKETT of Portland.

Cosponsored by Representatives: BRIDGEO of Augusta, CAMPBELL of Orrington, DUCHARME of Madison, GRAHAM of North Yarmouth, PARRY of Arundel, PERRY of Bangor.

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

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

Sent for concurrence.

Bill "An Act to Establish Consumer Protections Regarding Small Dollar Loans"

(H.P. 1228) (L.D. 1912)

Sponsored by Representative BLIER of Buxton.

Cosponsored by President JACKSON of Aroostook and Representatives: BOYLE of Gorham, MORRIS of Turner, SWALLOW of Houlton, Senators: GROHOSKI of Hancock, STEWART of Aroostook.

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

On motion of Representative BLIER of Buxton, the Bill and all accompanying papers were **INDEFINITELY POSTPONED** and sent for concurrence.

Bill "An Act Concerning Automotive Right to Repair"

(H.P. 1227) (L.D. 1911)

Sponsored by Representative WHITE of Waterville.

Cosponsored by Senator FARRIN of Somerset and Representatives: DUCHARME of Madison, MASON of Lisbon, O'CONNELL of Brewer, WILLIAMS of Bar Harbor, Senator: STEWART of Aroostook.

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

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

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

Sent for concurrence.

Bill "An Act to Protect Personal Health Data"

(H.P. 1217) (L.D. 1902)

Sponsored by Representative O'NEIL of Saco.

Cosponsored by Senator DAUGHTRY of Cumberland and Representatives: BRENNAN of Portland, MATHIESON of Kittery, RANA of Bangor, ROEDER of Bangor, SHEEHAN of Biddeford, SUPICA of Bangor, Speaker TALBOT ROSS of Portland, Senator: BRENNER of Cumberland.

Bill "An Act to Enact the Maine Fair Chance Housing Act"

(H.P. 1219) (L.D. 1904)

Sponsored by Speaker TALBOT ROSS of Portland.

Cosponsored by Representatives: GERE of Kennebunkport, SALISBURY of Westbrook, Senator: BEEBE-CENTER of Knox.

Bill "An Act to Enable Confirmatory Adoption"

(H.P. 1221) (L.D. 1906)

Sponsored by Representative MOONEN of Portland.

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

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

Sent for concurrence.

Bill "An Act to Create a Residential Rental Unit Registry"

(H.P. 1220) (L.D. 1905)

Sponsored by Representative ROEDER of Bangor.

Cosponsored by Senator DAUGHTRY of Cumberland and Representatives: MASTRACCIO of Sanford, SKOLD of Portland, Senator: TIPPING of Penobscot.

Committee on **LABOR AND HOUSING** suggested.

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

Bill "An Act to Improve Affordability and Opportunity for Maine Renters and Landlords"

(H.P. 1216) (L.D. 1901)

Sponsored by Representative SKOLD of Portland.

Cosponsored by Senator DAUGHTRY of Cumberland and Representatives: BLIER of Buxton, HASENFUS of Readfield, PERRY of Calais, RANA of Bangor, THERIAULT of Fort Kent, Senators: DUSON of Cumberland, PIERCE of Cumberland, POULIOT of Kennebec.

Committee on **TAXATION** suggested.

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

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

ORDERS

On motion of Representative HYMES of Waldo, the following Joint Resolution: (H.P. 1222) (Cosponsored by Senator KEIM of Oxford and Representatives: ALBERT of Madawaska, ANDREWS of Paris, ARATA of New Gloucester, ARDELL of Monticello, BAGSHAW of Windham, BLIER of Buxton, BOYER of Poland, BRADSTREET of Vassalboro, CAMPBELL of Orrington, CARLOW of Buxton, CARMICHAEL of Greenbush, COLLAMORE of Pittsfield, COSTAIN of Plymouth, CRAY of Palmyra, CYRWAY of Albion, DRINKWATER of Milford, DUCHARME of Madison, DUNPHY of Embden, FAULKINGHAM of Winter Harbor, FAY of Raymond, FOSTER of Dexter, FREDERICKS of Sanford, GREENWOOD of Wales, GRIFFIN of Levant, GUERRETTE of Caribou, HAGGAN of Hampden, HENDERSON of Rumford, JAVNER of Chester, LAVIGNE of Berwick, LIBBY of Auburn, MASON of Lisbon, NESS of Fryeburg, NUTTING of Oakland, PARRY of Arundel, PAUL of Winterport, PERKINS of Dover-Foxcroft, POLEWARCZYK of Wiscasset, QUINT of Hodgdon, RIELLY of Westbrook, RISEMAN of Harrison, RUDNICKI of Fairfield, SAMPSON of Alfred, SCHMERSAL-BURGESS of Mexico, SKOLD of Portland, SMITH of Palermo, STROUT of Harrington, SUPICA of Bangor, SWALLOW of Houlton, Speaker TALBOT ROSS of Portland, THORNE of Carmel, UNDERWOOD of Presque Isle, WALKER of Naples, WHITE of Waterville, WHITE of Guilford, Senators: BRAKEY of Androscoggin, FARRIN of Somerset, HARRINGTON of York, LYFORD of Penobscot, MOORE of Washington, POULIOT of Kennebec, STEWART of Aroostook)

JOINT RESOLUTION RECOGNIZING

MAY 7, 2023 TO MAY 13, 2023

AS MAINE HOME EDUCATION WEEK

WHEREAS, the Maine State Legislature is committed to excellence in education and recognizes the importance of family participation and parental choice in the pursuit of that excellence; and

WHEREAS, families that choose the option of educating students at home make many sacrifices, and the number of students in the State who are being homeschooled has increased during the COVID-19 pandemic, with mothers, fathers, grandparents and other caregivers teaching these students; and

WHEREAS, excellent individualized preparation for citizenship and life work can be provided by home education; and

WHEREAS, in May, homeschoolers in the State will be celebrating home education for the 36th consecutive year; 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 declare the week of May 7, 2023 to May 13, 2023 as Maine Home Education Week.

READ.

The SPEAKER: The Chair recognizes the Representative from Waldo, Representative Hymes.

Representative **HYMES**: Thank you, Madam Speaker. First, I want to thank everyone who signed on to show support for home education in Maine. As you know, I'm a huge proponent of school choice. I firmly believe that every child is unique and special. This definitely includes the way that they think and they learn. From public school to private school, charter school to home school, each child looks at the world differently and learns from their experiences with the world differently. I have five children and my choice to home school

was brought on by my military service. I knew that changing locations every two to three years would have an impact on where they were going to school, pulling them out and putting them into different schools, so we chose to home educate. I went through public school and my wife was home educated from her single mom and I very much appreciate the work that my mother-in-law did. I know a lot of people don't thank their mother-in-law but I'd like to go on record thanking my mother-in-law for her contribution to my wife's education.

I do want to talk about a few myths and facts as we're recognizing home education. There are a few myths and, like I said, I have five children that I home school jointly with my wife and I take on some of the responsibilities that I'm good at; definitely not grammar; but with science and math, I'm definitely the lead parent when it comes to educating my children on those. One of the myths that I've heard a lot from people is that home schooling is a luxury. I will tell you that is completely and totally false. I have taken on second and third jobs so that I can ensure that my kids receive a tailored education to meet their needs and it's a lot more sacrifice than luxury but it is definitely worth it. Some people bring up socialization. I hear this quite a bit as well. Me, in particular, I'm raising adults and if you look around this room here, we are not all the same age, by far. Some of us are very young and some of us are; well, we won't get into that. But the socialization point of that for home schooling is that we forcibly introduce them to having to have conversations with people of all ages and having some of those conversations outside of their comfort zone. Another thing I'd like to bring up is that there tends to be a misconception that there's a lack of culture when it comes to home schooling. My choice this last school year for my oldest son was to put him in a private school because of campaigning, I retired from the military, I started a new job and started a business with my wife, so we chose to put him in private school. Since he's been in private school, he's been on high honors the entire time with straight As. He's actually getting bored in school so we're going to pull him back. One of the things that occurred to me in a conversation with him is he came home one day and he had a particularly interesting conversation with kids in his class who told him that he was uncultured because he didn't know what Minecraft was and didn't know what Doritos were. And I just had a very pointed conversation with him and I know that I was blessed in my military career to be able to be in Europe but I think that a child that has gone to Pablo Picasso's home and been to Mount Vesuvius and climbed it and been to Paris and been to Dublin has experienced more culture than any of his peers.

A couple of facts that I would definitely like to point out as we get away from myths. Home-educated kids typically score higher on tests. As I said, my son's been on high honors the entire time and it just goes to show that; I was concerned about how we were doing with home education but I'm definitely solidified in my views of home schooling that we are definitely not missing the mark when it comes to that. I did find during some research that there's a doctor and a former Yale application reader that says that elite-level colleges like Harvard, Yale, MIT, Duke and Stanford want home schoolers and are doing everything they can to actively recruit students who have been home schooled. They recognize that home schooled students are often better prepared for college than their non-home schooled peers and they see that value in going after them. And a different study showed that home schooled students do very well in college. Throughout their college career, students from a home school background tend to do better than traditional students. Home schooled freshmen in

their first semester in college typically get a 3.3 GPA, while their peers who are traditionally schooled usually get a 3.08. And this continues on through their entire career with their average graduating GPA of 3.46 compared to their peers of 3.16.

And then I'd like to move on to my final comments here, Madam Speaker. So, some mistakes; a lot of parents come to my wife and I when it comes to home schooling on whether or not they're making that choice and one of the biggest things that I see is they overthink home education. Most of our daily life, half of our daily life is home education, cooking with our kids, building with our kids, having conversations about what happens in here with my kids so they understand how the legislative process works. It's all part of home education. It doesn't all have to be from a book eight hours a day in front of a desk. You don't have to re-create the classroom in your home, like I had said, and home schooling is definitely not for the faint of heart. It is hard. It is definitely hard, especially when you're trying to relearn seventh grade math that you forgot because it's been quite a while since you've done seventh grade math and then having a debate with your 13-year-old on how that math is supposed to be done because he thinks that he is better at home schooling and teaching math than you. And I will continue to home school my children and I believe that tailoring the educational needs of every child is what best fits them and why I'll always stand for home education in the State of Maine. Thank you.

The SPEAKER: The Chair recognizes the Representative from Fryeburg, Representative Ness.

Representative **NESS**: Thank you, Madam Speaker. I just want to thank the Representative from Waldo, Representative Hymes, for putting forward this order and allowing me the opportunity to co-sign onto it. I was the product of 12 years of home education and my mom, she was educated as a Christian school teacher and she did that for a while before my sister was born and then when the time came, she decided to home educate her; well, I say her, my parents did, and they home educated both of us through all 12 years and I may not be the brightest bulb in the pack but I'm not terrible, so, I think she did a decent job. So, I just want to thank my mom, Melanie Ness, and thank you, Madam Speaker.

Subsequently, the Joint Resolution was **ADOPTED** and sent for concurrence.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Prohibit COVID-19 Vaccine Mandates for Students Enrolled in Public Institutions of Learning"

(S.P. 475) (L.D. 1148)

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 to Pass as Amended by Committee Amendment "A" (S-61)** 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 NOT TO PASS** Report **READ** and **ACCEPTED**.

READ.

Representative MILLETT of Cape Elizabeth moved that the House **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: 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. 57

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, 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, Arata, Ardell, Babin, Bagshaw, Blier, Bradstreet, Campbell, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Pluecker, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmearsal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Andrews, Boyer, Brennan, Carlow, Galletta, Lajoie, Riseman, Zeigler.

Yes, 78; No, 64; Absent, 8; Vacant, 1; Excused, 0.

78 having voted in the affirmative and 64 voted in the negative, 1 vacancy with 8 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act to Exempt Nonprofit Agricultural Membership Organizations from Insurance Requirements"

(S.P. 388) (L.D. 896)

Signed:

Senators:

BAILEY of York
RENY of Lincoln

Representatives:

PERRY of Calais
ARFORD of Brunswick
CLUCHEY of Bowdoinham
MASTRACCIO of Sanford
MATHIESON of Kittery
PRINGLE of Windham

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

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

CYRWAY of Albion
MORRIS of Turner
NUTTING of Oakland
SWALLOW of Houlton

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

READ.

Representative PERRY of Calais moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

Representative **MORRIS**: Thank you, Madam Speaker. I rise in opposition to the pending motion.

The cost of health insurance in our State has continued to rise through the last few years, making it unaffordable for many Mainers. Particularly, one group that is finding a hard time finding health insurance is our farmers. This bill will help those farmers by allowing them to be able to purchase a type of health insurance through their Farm Bureau that would be catastrophic insurance but something that would certainly help that group. As I happen to come from a farming community, represent farming communities, I know how farmers work when an issue comes up, they're certainly the first to do everything they can to help each other out and this is no different. This is an opportunity for them to be able to put some money into a program so that if something catastrophic happens that those farmers would be covered. It should also be noted that farmers, certainly, their business model is much more difficult. They can't just continue to set their prices and set them higher, they have to take what is being offered to them. So, this is one way to help them control their costs because they're having a hard time finding health insurance in the marketplace. This allows them to set up their own insurance. This is very similar to what is done in states like Tennessee where it is working well. So, I would urge this Body to reject this motion and follow my light. Thank you.

The SPEAKER: The Chair recognizes the Representative from Albion, Representative Cyrway.

Representative **CYRWAY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I appreciate this moment to let you know that I oppose this motion. I ask you to listen carefully for our farmers. It's a basic need, food. LD 896 requests an exemption similar to the health care sharing ministry exemptions already in Statute. We need to extend the same opportunity to farmers to help them stay in business and stay healthy. Agriculture in Maine is struggling. In the past decade, we have seen a loss of nearly 10% of our farms, a decrease in the average size of acres farmed and an overall loss of land in agricultural production. In the last year alone, we have lost 25% of our dairy farms. Maine has a very short growing season, with very high production expenses, making profitability for farms is very challenging. The COVID pandemic and its aftermath have increased these costs between 30-50%, while the price farmers are paid for their crops has remained stagnant. Production expenses such as seeds, fertilizer, machinery and labor are costs that must be paid for and before the farm owner can be paid. While this is similar to many businesses in Maine, the difference for farmers is that they are price takers. Farmers cannot set their price. They will be paid for the food they grow and Maine farmers are competing with international imports and even farms in other states that are able to grow crops and ship them to Maine for less than what it costs for Maine farms to produce the same vegetable. Maine imports 90% of its food to meet the consumer's need for inexpensive food. This leaves many farmers in the gap of uninsured. As the COVID pandemic showed us, production of local food is critical. We cannot predict when the next disruption in the food supply chain will happen. If we cannot find a way for more Maine farms to produce more food, we may find ourselves in a very dire situation in the future.

This bill would address one aspect of farm expenses that are forcing farms out of business; health insurance costs. Allowing Maine Farm Bureau to offer affordable health coverage options to their members would alleviate a huge expense for farmers by offering premiums that are up to 77% lower than what is available on the individual market and offer affordable deductibles. Furthermore, it will allow farm workers to have consistent coverage regardless of the employment status, allowing seasonal workers year-round coverage. There are too many farmers in Maine that only use emergency care because they cannot afford the up-front cash costs of their current deductibles for preventative care. We all know the huge cost to our health care industry when preventative care does not happen. With a Farm Bureau plan, a family of four with two parents in their early 40s and two kids under 14 would experience savings of nearly \$10,000 per year. This \$10,000 is easily an amount of money that makes or breaks a farm. It's time to take care of the farms. I'm a farmer, I grew up getting up at 3:00 every morning. It's time we take care of them. The program gives farmers access to a program that has been succeeding for over 30 years. We need to support our farmers by giving them access to this health coverage and they are requesting it now. We need it. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Calais, Representative Perry.

Representative **PERRY**: Thank you, Madam Speaker. It's a tough act to follow, I will say that, and we do care about the farmers, and as a result of that, this really creates angst on our part because this organization may be called an insurance plan but it is not regulated by the Bureau of Insurance, it doesn't have the safeguards that have been put into insurance coverage, and this plan is a catastrophic plan, it is not preventative health care.

It also has no oversight by the Bureau of Insurance. The only oversight that could happen would be with the Attorney General and this says to underwrite a person with preexisting conditions, they may have to pay more or they can be refused. There are many issues with that that gives me angst and as a result, it was the Committee choice to vote Ought Not to Pass.

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. 58

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, 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, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Bridgeo, Campbell, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Pluecker, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmersal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Andrews, Brennan, Carlow, Galletta, Lajoie, Riseman, Zeigler.

Yes, 77; No, 66; Absent, 7; Vacant, 1; Excused, 0.

77 having voted in the affirmative and 66 voted in the negative, 1 vacancy with 7 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act Requiring a Referendum to Restore the Former Maine Flag" (S.P. 438) (L.D. 1069)

Signed:

Representatives:

- ABDI of Lewiston
- ADAMS of Lebanon
- COPELAND of Saco
- GREENWOOD of Wales
- POMERLEAU of Standish
- RISEMAN of Harrison
- UNDERWOOD of Presque Isle

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

Signed:

Senators:

- NANGLE of Cumberland
- BALDACCI of Penobscot
- LYFORD of Penobscot

Representatives:

- STOVER of Boothbay
- DHALAC of South Portland
- PAULHUS of Bath

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

READ.

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

Eight Members of the Committee on **EDUCATION AND CULTURAL AFFAIRS** report in Report "A" **Ought Not to Pass** on Bill "An Act to Protect Education Access by Prohibiting a Mandate for Schoolchildren for a COVID-19 Vaccine or a Vaccine Under an Emergency Use Authorization" (S.P. 366) (L.D. 869)

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

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

Signed:

Representatives:

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

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "A" (S-60)** on same Bill.

Signed:

Senator:

- LIBBY of Cumberland

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

Representative MILLETT of Cape Elizabeth moved that the House **ACCEPT** Report "A" **Ought Not to Pass**.

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

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

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

ROLL CALL NO. 59

YEA - Abdi, Ankeles, Arford, Bell, Boyle, 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, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher,

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

ABSENT - Andrews, Brennan, Carlow, Galletta, Lajoie, Riseman, Zeigler.

Yes, 78; No, 65; Absent, 7; Vacant, 1; Excused, 0.

78 having voted in the affirmative and 65 voted in the negative, 1 vacancy with 7 being absent, and accordingly Report "A" **Ought Not to Pass** was **ACCEPTED** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass** on Bill "An Act to Provide Equal Educational Opportunity by Adopting Rules Ensuring Nondiscrimination on the Basis of Protected Class Status in Educational Institutions"

(H.P. 306) (L.D. 489)

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

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

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

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

READ.

Representative MILLETT of Cape Elizabeth moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

Representative SAMPSON of Alfred **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 Alfred, Representative Sampson.

Representative **SAMPSON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. We oppose this measure and simply it's like our Constitution gives us equal rights, we are

protected by the Constitution, so we feel this is not a necessary bill. Thank you.

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

Representative **MILLETT**: Thank you, Madam Speaker. It has been over two decades since the Maine Human Rights Commission and the Maine Department of Education have updated their Joint Rules related to preventing discrimination in the public schools. In order to ensure the promise and fulfill the obligation to students guaranteed to them under the Maine Human Rights Act, it is time that these outdated rules be revised. 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. 60

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, 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, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmearsal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Andrews, Brennan, Carlow, Galletta, Haggan, Lajoie, Riseman, Zeigler.

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

79 having voted in the affirmative and 63 voted in the negative, 1 vacancy with 8 being absent, and accordingly the Majority **Ought 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** and sent for concurrence.

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-103)** on Bill "An Act to Improve the Health of Maine Residents by Removing Exclusions to the MaineCare Program"

(H.P. 123) (L.D. 199)

Signed:

Senators:

BALDACCI of Penobscot
INGWERSEN of York

Representatives:

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

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

Signed:

Senator:

MOORE of Washington

Representatives:

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

READ.

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

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-110)** on Bill "An Act to Ensure Accountability for Workplace Harassment and Assault by Removing Intentional Acts and Omissions from Workers' Compensation Exemptions"

(H.P. 28) (L.D. 53)

Signed:

Senator:

TIPPING of Penobscot

Representatives:

ROEDER of Bangor
GEIGER of Rockland
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
GERE of Kennebunkport
SOBOLESKI of Phillips

READ.

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

Representative BRADSTREET of Vassalboro **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 Vassalboro, Representative Bradstreet.

Representative **BRADSTREET**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I do rise in opposition to the pending motion.

I think it would be instructive to go over a little bit of the history about Workers' Compensation in the State of Maine. About 30 years ago, our State was in dire straits when it came

to Workers' Compensation. All but one of the carriers had moved out of the State and our Worker's Comp rates, we were 151% higher than the next highest state. Most of that was due to the civil litigation running rampant. And what the Chief Executive at the time did, he gathered a group of stakeholders and said go to a meeting, get into a room, and don't come out until you come up with a solution to this problem. I happened to talk to a couple of those people last week and they were very concerned about this Bill.

What that Bill did back then was create a grand bargain and it was agreed to by all sides and a major part of that was utilizing the Workers' Comp system as the exclusive remedy to solve Workers' Comp disputed claims. This Bill will once again open up the system to civil litigation. Now, I do appreciate the sponsor narrowing the Bill somewhat but still, even in its current form, amended form, it will once again put us in jeopardy by opening the door to more civil litigation in addition to the current Workers' Compensation system that we already have. And, Madam Speaker, once the door is open, it's open. Please join me in voting against this motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Lee.

Representative **LEE**: Thank you, Madam Speaker. This bill was prompted by the experience of two women I represented who suffered near-constant workplace sexual harassment, unwanted hugs, ponytail tugs and groping. These two women were subjected to a tremendously hostile environment created by one man. My clients had a causative action against the LLC that owned the company but no civil cause of action against the man who sexually harassed and assaulted them. Why, Madam Speaker? Maine is one of 10 states that provides blanket immunity from individual civil liability to those who sexually harass or sexually assault co-employees and subordinates as long as their employer has Workers' Compensation insurance. The worst part about this loophole is that the types of damages incurred by those who are harassed and assaulted are not compensable under the Workers' Compensation system. This is the narrowest, most trimmed-down version of this Bill possible. It exempts employers and it allows those who are sexually harassed and assaulted to hold the individuals who do the harassment and assaults liable. I ask you to please vote for this Bill. Thank you.

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

Representative **BRADSTREET**: Thank you once again, Madam Speaker. Yes, I do understand the Good Representative from Auburn's stand on that. However, I'd like to point out, too, that we do have a Maine Human Rights Commission which can handle such situations. Thank you.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Lee.

Representative **LEE**: I appreciate the Good Representative from Vassalboro reminding us that the Maine Human Rights Act exists and is only available against the employer, not the individual who has done the harassment or assault and that's why this Bill is necessary.

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. 61

YEA - Abdi, Ankeles, Arford, Bell, Boyer, Boyle, 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, Lanigan, LaRochelle, Lee, Libby, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Walker, Warren, White B, Williams, Worth, Zager, Madam Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Blier, Bradstreet, Campbell, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Hall, Henderson, Hymes, Jackson, Javner, Landry, Lavigne, Lemelin, 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, White J, Wood, Woodsome.

ABSENT - Andrews, Brennan, Carlow, Galletta, Haggan, Lajoie, Riseman, Zeigler.

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

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-110)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-110)** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act to Exempt Employers from Providing Earned Paid Leave for Certain Employees"

(H.P. 199) (L.D. 301)

Signed:

Senator:

TIPPING of Penobscot

Representatives:

ROEDER of Bangor

GEIGER of Rockland

GERE of Kennebunkport

MALON of Biddeford

RUSSELL of Verona Island

SKOLD of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-111)** on same Bill.

Signed:

Senator:

POULIOT of Kennebec

Representatives:

BRADSTREET of Vassalboro

DRINKWATER of Milford

READ.

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

Representative BRADSTREET of Vassalboro **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 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.

LD 301 serves as a path to correct the unintended consequences of current paid leave laws. Paid leave was not meant to cause hardships for municipalities, school districts nor small businesses, but that's exactly what's happening under the current law. Hospitality Maine represents over 1,000 restaurants and lodging operators across the State. The industry often hires temporary or seasonal employees, especially to fill vacancies in the busy summer months. Hospitality Maine testified that the tracking requirements for earned paid leave time can be costly and labor-intensive. They testified that most employees do not work enough time to even benefit from the earned paid leave but they must track it, anyway. The Maine Town and City Clerks Association testified that tracking clerks is often difficult and that the requirement to track every employee's time seems unnecessary since election clerks often do not work more than one election cycle. Tracking the hours worked takes away from staff time for their normal duties to do everyday business. Maine School Superintendents Association and superintendents from various districts across the State testified to the hardships Maine's current paid leave law are causing on our school systems. Coaching positions are often paid by a stipend and coaches do not punch a timeclock. This has caused a nightmare in tracking and resulted in the hiring of new staff to meet the tracking requirements. Retailers Association of Maine shared a similar concern with all the entities that I've mentioned. Under current law, after 120 days of employment; not days worked, days of employment; an employee earns an hour of paid leave for every 40 hours worked. This not only causes the tracking hardships but causes great problems with staffing as current law allows the employee to take paid leave in one-hour increments. In the case of schools, if a teacher calls out, a substitute is called in to cover the classroom. The substitute may accept the job assignment and turn in a request for one hour off that same day, leaving the district to either find another substitute to cover that hour or the possibility of having a classroom unsupervised.

This bill, LD 301, alleviates many of the concerns I've stated and we must be cautious when we're looking out not only for employees but recognizing and balancing the needs of employers. For these and many reasons, I ask you to follow my light and oppose the pending motion.

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

Representative **ROEDER**: Thank you, Madam Speaker. Madam Speaker, I want to note something from the Department of Labor's testimony on this bill. Their testimony reads: We note that the statute already addresses some of the concerns expressed by employers regarding temporary employees. As mentioned above, it exempts employment in a seasonal industry as defined in Section 1251. A lot of the concerns that the Honorable Representative from Skowhegan raised have been already addressed. 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. 62

YEA - Abdi, Ankeles, Arford, Bell, Boyle, 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, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Madam Speaker.

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

ABSENT - Andrews, Brennan, Campbell, Carlow, Galletta, Haggan, Lajoie, Libby, Riseman, Zeigler.

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

77 having voted in the affirmative and 63 voted in the negative, 1 vacancy with 10 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought Not to Pass** on Bill "An Act to Increase the Number of Hours Certain Minor Students May Work Under Certain Circumstances"

(H.P. 364) (L.D. 559)

Signed:
Senator:

TIPPING of Penobscot

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-112)** on same Bill.

Signed:

Representatives:

BRADSTREET of Vassalboro
DRINKWATER of Milford
SOBOLESKI of Phillips

READ.

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

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

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

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

Representative **BRADSTREET**: Thank you, Madam Speaker. I do rise in opposition to the pending motion.

This Bill would simply allow 16- and 17-year-olds to work up to 32 hours per week under certain conditions, including getting an okay by the school district's superintendent. I think we're finding out now that our young people, as they're about to enter adulthood, need to develop work habits. They need to learn not only the particular type of skill but they also have to learn the soft skills and this is one way we can get that to happen. No way will they be asked to waive safety regulation or any other thing that may come into play here. I hope you would join me in voting against the pending motion. Thank you.

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

Representative **ROEDER**: Thank you, Madam Speaker. Madam Speaker, again, this is a Bill that we saw a rare opposition to from the Department of Labor and they mentioned that they believe the current restrictions on the employment of minors including hours worked have been effective in protecting the health, safety and education of Maine's youngest workers and should be retained. Thank you.

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

Representative **THORNE**: Thank you, Madam Speaker. I must have a cold finger this morning. I rise in opposition to the pending motion.

I can recall the importance of work ethic when I was young, sixth grade, picking potatoes in Aroostook County with my friends, and now I have a grandson who just turned 16 in December. And the first thing he did is he went out and got his license in January. The next thing he did is he went out and got a job at Home Depot in Windham. And he's so happy that he has that and the first thing he did was he called me up and he said Papa, I got a job. I said that's fantastic. How many hours are you getting? How many can you get? And he said well, I think it's like 22-24, something like that. And I said oh, okay. I said I can remember doing that when I worked at a grocery store and I got the maximum hours. I said what are you going to do with your money and he says I'm buying dad's pickup truck. I said wow, that's pretty good. We talked about the price, I said that's a pretty fair price for what he was getting for a pickup. I said any chance you can ever get any more hours than that and he says no, he says, but if I ever did, I'd like it. So, I'm just trying to say with the labor shortage we have across the State and the willingness of some students to be able to work and get the approval if their grades are such, that I don't think it's a big stretch to be able to ask for increasing hours for those who want to work. So, I rise today in opposition to the pending motion and encourage you to follow my light. Thank you, Madam Speaker.

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

Representative **LANIGAN**: Thank you, Madam Speaker and thank you, Members of the House. I stand in opposition of the pending motion also.

As a father of four, ranging from 21, 20, 16, and 15, I know firsthand that the desires of each one of my children is different. I have my 16-year-old doesn't like to work as much as my 15-year-old does. My 21-year-old and 20-year-old, same format. However, I find it funny that this Body and the Department of Labor get to make that decision and it's not up to me as a parent, it's not up to the employer, it's really up to a bunch of people

that, frankly, they don't know. I find that with the worker shortage and the ability of whichever student; everybody's an individual and everybody can handle different things and I think by putting these parameters on what we're trying to do is put everybody into the same box. Someone from Northern Maine might have different work opportunities than Southern Maine. In Southern Maine, during the summer, we're very busy and more work is needed than during the off-season. So, I stand opposed to this because I would like to leave those decisions in the parents' hands and out of the State legislators' hands. And I feel that by raising the number of hours, it allows us to as parents and employers to make those decisions that are best and fit the needs and the wants of that student or that child. If they want to save for a car, if they're looking to save money because maybe their family is a little underserved and they're saving for college so that they can handle the housing and they can handle the extra funds so when they graduate. I feel that all we are doing is limiting their future of success by putting these seatbelts on that are unnecessary. Thank you so much for your time and allowing me to address this Body.

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

Representative **UNDERWOOD**: Thank you, Madam Speaker. When I was growing up in Aroostook County, I was taught to work around the age of 14 or 15, to get out and help your father on the truck. And that's what I did. So, my question to everybody is what are we teaching the kids? When are we going to teach them how to work and when to work so they can be an effective citizen, a responsible citizen? Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Harrington, Representative Strout.

Representative **STROUT**: Thank you, Madam Speaker and everybody here. So, I rise because I have a 15-year-old who would much prefer to work and is a lobster fisherman and he's been fishing since he was 11 and he puts in long hours and he still maintained straight As in school. But I also have the experience where we have kids that do three sports and extracurricular activities and that, too, takes away from schoolwork. So, if the kids want to work and not do the sports and the extracurricular activities, those hours should still be allotted for them to make the decisions that work best for them and their family. Thank you.

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

Representative **HENDERSON**: Thank you, Madam Speaker. Unlike my colleagues, I'm not a father, nor am I a grandfather or a parent. At 14 years old, I got my first full-time job. I was moved in with my aunt and uncle on the coast, I cleaned mansions in Camden and Rockland. The money I earned that summer went towards purchasing school supplies, uniforms, so I could go to my private school and my father worked very hard to provide for our family, wanted to see his children in a better education system, but simply couldn't afford to feed us as well as provide those opportunities for us. At 15, I should say the summer I turned 15, I started work on a milk farm, which is probably the hardest work I've done in my life, including the Legislature, where I at times would be up at 3:30 in the morning. My family had one vehicle, so I would bike nine miles to the farm. It was not uphill both ways. But the cows needed to be milked at 5:30 in the morning and it usually took until about 11 a.m. to get everything done. I would bike home and then that evening, I would bike back to do the evening milking as well, at times working five to six days a week during the summer. The

money I earned that summer went to pay for part of my tuition as well as my uniforms and my curriculum.

I am really concerned with the limits that we're putting on our young people nowadays, the freedoms that we're giving them to allow them to make choices that are permanent, to change their body and who they are, but aren't allowing them to work and make money and to invest in their futures. A week ago, perhaps two weeks ago, I spoke on the work that I put in in my 20s, at times getting up at 4:30 in the morning and not laying my head on the pillow till 11:30 at night and the work that I did as a teenager set the stage for the work that I did as an adult. And I would urge my colleagues, please consider your vote. Thank you.

The SPEAKER: The Chair recognizes the Representative from Buxton, Representative Blier.

Representative **BLIER**: Thank you, Madam Speaker. I'm sitting here today listening to everybody who is opposed to this motion. But yet I haven't heard anybody speak why they'd be in favor of this motion. So, could somebody from the other side please speak why they would not want young adults to work? Thank you.

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

Representative **MILLETT**: Thank you, Madam Speaker. I actually had my light on before that invitation but thank you, Representative.

I have served on the Education and Cultural Affairs Committee for over a decade. We have seen many attempts and efforts to change our child labor laws. A lot of very good conversations have resulted from that and I strongly believe that the law that we have in place right now does, indeed, allow our young people to go out and experience the benefits of working in our businesses and gaining those workplace experiences. At the same time, I recognize that as a parent myself and somebody who serves in public office a great deal around public education, we also have to make sure to protect our young people and ensure that they have an opportunity to thrive and excel in our public education institutions. Indeed, our schools are designed in a way to allow them to explore and experience and to develop strong work habits. These are possible in both of these areas; they are not mutually exclusive. If the intent of this legislation is to address our workforce issues, then that's a whole other matter. And often, I believe, our workforce issues are a result of decisions that adults have made, not our children, and I look forward to working with everybody to address our workforce shortages through training, better pay, better benefits, mentoring, apprenticeships; but not at the cost on the backs of our young people. Thank you, Madam Speaker.

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

Representative **MADIGAN**: Thank you, Madam Speaker. I just want to let folks know that I absolutely support our young people working. I was one of those young people working. I started babysitting at 12, started having a job at 15. At 16, actually, I was a waitress and that money I earned was not for college or for a car but it was to put food on the table for my sisters and I and to keep the lights on because both my parents were ill. I am eternally grateful that there were some limits on that because I would've done anything to make sure my sisters got some treats or something. There were oftentimes I went to school; school started, I went to a high school that had split sessions and so I had to be at school at 7 in the morning. There were many times I was tired. I still managed to get good grades and get into a good college but I think the role of adults oftentimes is to protect kids and sometimes kids don't have

adults around them to do that for them. And so, I'm glad to stand up to keep kids safe and let them focus on their education. Thank you very much, Madam Speaker.

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

Representative **LANIGAN**: Thank you, Madam Speaker and House for allowing me to stand again. I just wanted to; sitting here listening to my colleagues speak, I think there's something that we're missing when we talk about this and we're talking about money and what people can buy with it and so on and so forth but what we're not talking about is the social pressures our youth are going through. The suicide rates are through the roof, we have people that don't feel like they belong anywhere and sometimes these places where they're employed is where they feel like they belong. They don't feel like they belong when they're in school and they're sitting there for six and a half hours a day. They can't wait to go to work after school so they can maybe get a meal at the restaurant that they're working at, they can sit down with some friends and they can socialize. They feel like they belong. And I just want you to think of that too and, again, as a parent, I know my child best and I know what they can handle and what they need and; this is very personal for me, I won't lay it all out but I know that one of my children loves sports, loves going to school, works very minimal, and I'm fine with that, I'll give him all the money he needs. I have another child that school isn't his thing, he doesn't belong there, he doesn't feel like he belongs there, but when he goes to work, he comes home with so much pride. And if I could give him more time there, I would because that's where he's happy and my job as a parent is to provide the best for my child.

I would ask that; I know that the Department of Labor spoke against this but --

The SPEAKER: The Member will defer. The Chair would like to remind the Member to direct his comments directly to the Chair. The Member may proceed.

The Chair reminded Representative LANIGAN of Sanford to address his comments toward the Speaker.

Representative **LANIGAN**: Thank you. I know the Department of Labor spoke opposing this Bill but did the Department of Health and Human Services speak in support of? You know, I think we're missing the whole picture and I just wish that everybody would take a chance and see that parents are still the ones that know best for their children and children know what's best for themselves and they communicate that through their parents and their parents communicate that to their employers. And I just ask that we not support this Ought Not to Pass and allow to put the power of raising our children back into our parents' hands and trust that they have their best interests in hand when they're making these decisions. Thank you so much, Madam Speaker.

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

Representative **GEIGER**: Thank you, Madam Speaker. I'm listening with dismay, quite frankly. Our child labor laws have been in place for decades. Those laws didn't come because people decided to interfere with families; they came about because too many children lost their health, their futures and sometimes their lives to bad employers and parents who didn't put their children first. I guess I live in a different world than some of my colleagues. I know too many parents who don't put their children first. We in this State have watched too many children end up in foster care, parents who are lost to substance abuse, lost to despair. Their children, as my colleague, Representative Madigan, said, would do anything to help their siblings, to take care of their parents to their own detriment and

the detriment of their future. These laws create a framework, some guardrails around how much they can work. They are allowed to work. They are allowed to work 24 hours a week while they are in school. That protects them, it protects our civil society and it protects their futures. Thank you, Madam Speaker.

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

Representative **THERIAULT**: Thank you, Madam Speaker, Members of the House. I'll try to be brief.

We have a crisis of meaning here. Not only in the State of Maine but we have a crisis of meaning around our country and for many students, going to work is a place where they have meaning. It's a place where they can go and be around people who have like-minded thoughts and enjoy like-minded things. And so, why do I think that Joe Smith in a different district, I don't know anything about the background of this student. The superintendent and the school district and the parents know best for what each student and so instead of trying to put people in boxes, let's try to let parents and school districts work individually with these students and I feel like this is what the intention of this Bill was, so; I told the story before of my grandfather leaving school in fourth grade. We're not there anymore. We're a long way from there. And so, Madam Speaker, I respect the different viewpoints on this topic but we're in a different world now where some students put hours and hours a week in sports and we're not against that. The only difference here is that these individuals may choose to go and want to put more hours in because they're building a life for themselves, they're building a life for their family and they're building a future for themselves that maybe doesn't involve the school system. And if the superintendent and the parents feel like their grades are high enough and they're participating in school to the degree that these people see fit, why do legislators feel like they need to get in the middle of that? Let's let the schools and the parents make these decisions, not legislators who don't understand the personal background of each individual here that we're talking about.

The SPEAKER: The Chair recognizes the Representative from Milford, Representative Drinkwater.

Representative **DRINKWATER**: Thank you, Madam Speaker. Wow, this has really taken a life of its own here. Wouldn't it be a wonderful experience at school if we said to the children you know what, you maintain a certain GPA, you can get more hours at work? We did that in sports. You had to maintain a certain GPA in order to play sports. I'd like to pose a question, if I may.

The SPEAKER: The Member may proceed.

Representative **DRINKWATER**: In the State of Maine, you are allowed to drop out of school at the age of 15. Would that 15-year-old need a superintendent's permission in order to work? Thank you.

The SPEAKER: The Chair recognizes the Representative from Guilford, Representative White.

Representative **WHITE**: Thank you, Madam Speaker. Working was very important in my teenage years. Not because my parents didn't have the money to pay my way. Fortunately, we did. My older brother was very athletic and he had very minimal time working through his high school years. I, on the other hand, never really did take to sports. I worked 40-50 hours a week sometimes, washing dishes in restaurants and changing oil in cars, doing physical labor. As I grew in my young adult years, after I got out of the military, I traveled around New England quite a bit and a trend stood out to me that if I were in southern Connecticut or Rhode Island or Massachusetts, the job

sites that I would be delivering to were the warehouses. When there was a major project going on, the workers quite frequently were Maine workers. There were companies from Maine that had sent workers to these other states. And the work ethic was resounding throughout the rest of New England that if you wanted a talented workforce, that many times people would hire out to companies from Maine, not only because they were cost effective but because the workforce was effective. That's why Bath uses the phrase Bath built is best built. The workforce in Maine has always been astounding. This came from the work ethic.

The first time I stood to speak in this Chamber, I spoke of a dear friend that had passed and his work ethic, getting up before school and working in the family slaughterhouse. That's something that I wanted for my children. As my children were entering in their teenage years, my oldest son, quite frequently, hired out to anyone in the neighborhood that had a job to do. He dug graves and picked rocks out of fields and did a plethora of work, painted houses and worked as an apprentice for carpenters. That work ethic raised him to the point where in his mid-30s, he paid off his house and his wife is comfortable and stays home to homeschool their children. Not without sacrifice but because his work ethic is such that he can provide that level of support for his family. And that didn't come because he was a straight-A student, which he was, but it came because he knew how to get his hands dirty and do the work.

No one's saying that these kids should work 40 or 50 hours a week but when you're looking to build the self-esteem of a teenager, primarily, many just won't respond without that physical achievement. I was fortunate enough to work in career and technical education and many of my students I still stay in contact with. It was astounding to me to see how broken our youth were when I entered into the public school system. How really, they're in the breeze, they just don't have anything to cling on to, any achievement, especially if they're not athletic or if they're not straight-A students or they're not the head of the basketball team, they really lack in that self-esteem. I watched my classes come alive as they gained skill. I watched these students just become so proud of themselves and their accomplishments and the majority of them even in their mid-20s now are starting families, raising children, owning their own homes, and it's all because they were allowed the opportunity to achieve something. Don't hold children back. Thank you.

The SPEAKER: The Chair recognizes the Representative from Plymouth, Representative Costain.

Representative **COSTAIN**: Thank you, Madam Speaker. On this Bill, my intent to put this bill in was primarily the fact of students that were home schooled or students that were in school but they only went to school two days a week because of an alternate schedule. So, we have several students that go to school two days a week, so the rest of the time, they're off. And that was the purpose of this Bill, so that people that are off from school could, in fact, work the 32 hours. I had a constituent come to me that's a business owner and asked to put this Bill in and he has several employees, I have several employees, and there's lots of other people in the same boat that have these students that only go to school two days a week so the rest of the time, they could work and they want to work, you know, they're upset that they can only work 24 hours a week. So, that was the purpose of the Bill, Madam Speaker, thank you.

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

Representative **ROEDER**: Thank you, Madam Speaker. I just want to remind everyone that the laws do not say that youth cannot work. You can work up to 24 hours a week during the

school year. And there are exceptions. There are plenty of exceptions, some of which I have heard on this floor today. If you are a minor working in agriculture, that is an exception. If you are a minor working as an actor, that is an exception. If you are legally emancipated, that is an exception. If you are employed in fishing occupations or the operation of ferries or excursion boats, that is an exception. Or, in my case, working at a children's camp from the ages of 15 to 18, I worked 24 hours a day with one day off a week. Those are all exceptions that are held under the Maine Law. Thank you.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Copeland.

Representative **COPELAND**: Thank you, Madam Speaker. I just wanted to say that as far as work ethic, my parents never let us work until we graduated from high school and I worked a lot, but it wasn't at a factory or someplace that was mandatory attendance and so forth. We cleaned the house, we weeded our neighbors' yards, we went to our grandparents' house and did work around there. We did work in the community to clean up. We did a lot of work. And I think that my work ethic is wicked strong. I do this work, this important work here in the Legislature, I work full-time. When my kids were going through college, I worked a day job and I worked at L.L. Bean for eight years not just seasonally, but part-time in the evenings. I have a strong work ethic and I didn't need to have, you know, like, a regular job. And so, I think that that made our community stronger, our family stronger, gave me a great sense of worth. It was actually instrumental in me being here and caring about everybody in the communities and raising their voice. And so, that's about me and how I got to be who I am and I'm very concerned about foster kids and kids without parents and who are in situations where they have no control over their life and the fact that people will take advantage of them, because they do, and force them into working so that they can have money for the household, not necessarily in an account for themselves for cars and other things. I think that this is ripe for abuse for those kids and I will forever stand up for foster kids and I would also advocate that kids need to be kids. They're not part of the workforce yet, there's plenty of things for them to do in the community to build that ethic, and I will very definitely vote Ought Not to Pass this Bill and I hope you will, too. Thank you.

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

Representative **THORNE**: Thank you, Madam Speaker. I think it's great that everybody is so concerned about educating you on this. And I've heard a lot of great stories. But I had to rise again because I was worried about brevity but that ship's already sailed.

Kids are part of our workforce here in Maine, whether we want to admit it or not, Madam Speaker. Whether they work 20 hours, 12 hours, or if they're allowed to work 30 hours. And the ironic part is I was in the Education Committee last week, providing testimony on LD 1008 that talked about rating books. And there were a lot of members of that Committee that were talking to me about local control. That it shouldn't be State control, it should be in the hands of each school district. This, in a lot of ways, translates the same way. Who are we to dictate that certain jobs only, whether it be agriculture or whatever other jobs were mentioned, are the only jobs and kids that would be allowed to work more than the established 24 hours a week. So, those two things, I would ask, Madam Speaker, is give local control to each individual child and each individual case and also take into consideration that they are part of our workforce, whether we want to admit it or not. And I'll just leave you with this, Madam Speaker, is if you're unable to vote no on this

pending motion, at least tell a kid that's out working thank you for working when you see them. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Albion, Representative Cyrway.

Representative **CYRWAY**: Thank you, Madam Speaker, and Ladies and Gentlemen of the House. I just wanted to stand up. You know, I grew up without the permits. We didn't have the permits. And we had a farm and we had a lot of kids work on our farm but I also worked for delivering newspapers besides working on the farm. I went to other farmers, I went and helped on a chicken farm, I went on, showed cattle, I got to take a tractor course at a young age at 10 years old and got my certification. There are a lot of educational things you do when you do work.

The other piece of this is that, you know, it was mentioned about doing lawns and whatever and I'm sure that that person didn't have to go get a permit to do that. My father grew up, he didn't have a permit and he was in a household where, you know, there was alcohol abuse, whatever, and he found work as a savior for him. He went to several farms and he found a moped, he'd get there and come home and sleep in a closet. So, sometimes, these situations, we can't just say 24 hours. When I grew up on the farm; of course, I mentioned about being around Benton Elementary School, the principal would see my father out planting and he says go help him plant. And you know what, in Aroostook County, they have even three weeks that they take off to go out and harvest potatoes. They don't say 24 hours and go home. You got the blueberry farms, you know, they got to harvest it. There's certain things in life that we have to do and we can't just be put in a box. And that's what this permitting system is doing. I go out in the communities and every person that I talk to that's got a business, they want these kids to be able to have that freedom to come in and do a job and make them shine. And they said you know what the problem is, a lot of these kids won't go to the superintendent's office and get a permit. They won't do it. But they'd love to come work for them but they just won't go and do that permitting.

And so, we put a lot of restrictions on our kids and this is why we're having the problems out on the streets, doing drugs, not knowing what to do with their life. Every time, you know, in fifth grade, I was a DARE officer and guess what, I'd ask them anybody know what they want to be in life? They'd all raise their hand. And when I got to do junior high, about a third of them would know what to do with their life. When I got into high school and did the DARE program for the high school kids, I mean, there's like maybe 10% of them knew what they wanted to be. It's because they didn't get a chance to get out and really explore and know what kind of job they wanted to do in life or what they want to be. Let's let them have the experience of doing what they'd like to do and get some education by doing hands-on things. That's what I think, Madam Speaker, we really need to do is allow them to live, not put them in a box. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Plymouth, Representative Costain.

Representative **COSTAIN**: Thank you, Madam Speaker. I'd just like to pose a question. The Good Representative on the other side said that the reason why we couldn't do this is the Department of Labor said that it's because of the child safety, child safety laws, that's why we can't go over the 24 hours. So, my question would be is if that's in fact the case, then why are we doing the carveouts for agriculture and the fishermen and all these other things. I'd like to have an answer for that, please. Thank you, Madam Speaker.

The SPEAKER: The Member has posed a question to anyone who cares to answer. The Chair recognizes the Representative from Harpswell, Representative Golek.

Representative **GOLEK**: Thank you, Madam Speaker. I didn't plan on standing to speak today but after listening to so much conversation about our workforce shortage and using the population of our children to help fill those workforce shortages, I felt the need to stand and talk about who the majority of those children will be. The majority of those children will be children like I was as a child, that come from extreme poverty, that end up having to fill these jobs to become another source of income for their family. And what that leads to, I'll just give you a little story. Social Security has been taking money out of me since I was 12. I dropped out of school at the age of 15 because I became another breadwinner. I made sure that that would never happen to my children. As far as children having the ability to work and get a strong work ethic, our laws that we have now allow that. I have two older children, ages 32 and 33. They both worked all summer long. They both went to school. They both have their high school diploma and one was able to go on to college. And as of today, they both work one to two full-time jobs to pay for all their bills, have their own care and their maintenance. I tell you that because there seems to be an insinuation that if children aren't allowed to work full-time, they just won't get that work ethic. And I'm not going to go on and on but I just want people to understand that if we change our childhood laws, the children who are not as privileged as other children will be the children filling those positions. 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. 63

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenus, Hobbs, Jauch, Kessler, Kuhn, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, 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, Sheehan, Skold, Stover, Supica, Warren, White B, Williams, Worth, Zager, Madam Speaker.

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

ABSENT - Andrews, Brennan, Campbell, Galletta, Haggan, Lajoie, Libby, Paulhus, Riseman, Terry, Zeigler.

Yes, 72; No, 67; Absent, 11; Vacant, 1; Excused, 0.

72 having voted in the affirmative and 67 voted in the negative, 1 vacancy with 11 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Resolve, Directing the Office of the State Auditor to Report on Taxpayer Money Funding Maine Nonprofits

(H.P. 319) (L.D. 514)

Signed:

Senators:

NANGLE of Cumberland
BALDACCI of Penobscot

Representatives:

STOVER of Boothbay
ABDI of Lewiston
COPELAND of Saco
PAULHUS of Bath
RISEMAN of Harrison

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-98)** on same Resolve.

Signed:

Senator:

LYFORD of Penobscot

Representatives:

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

READ.

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

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

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

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

Representative **GREENWOOD**: Thank you, Madam Speaker. I rise in opposition to the pending motion.

This Resolve before us today asks three things; that in addition to our audit that is produced by our State Auditor, that we do some analysis; analysis of the last 20 years of State funding for nonprofit corporations in Maine who receive State funds, rank in five-year periods the nonprofit corporations in the State from those receiving the most to those receiving the least State funds, and state the percentage per the State budget that was disbursed to nonprofit corporations over the State. It's a simple request, much of it can be done within the audit that has already been done, it's just a matter of compiling some data. Thank you, Madam Speaker.

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

Representative **STOVER**: Thank you, Madam Speaker. I rise to speak to this pending motion that most nonprofits in our State already complete independent audits as part of their own analysis of their good standing with philanthropy and other organizations like State government that fund them and that this would be either redundant or in addition to their already required audit that they provide internally. Thank you.

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

Representative **UNDERWOOD**: Thank you, Madam Speaker. This is the second time I've risen in this Session and that's record for me. On this particular bill, what's wrong with the Auditor finding out where the public's money has been spent,

because every time you turn around, one of them is before some Committee somewhere looking for assistance with this or that or the other thing. So, it's time we get responsible through our State Auditor and find out where our money has been spent. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative Copeland.

Representative **COPELAND**: Thank you, Madam Speaker. I would argue that the requests for the audits can be a FOAA request and not needed in legislation. 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. 64

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

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

ABSENT - Andrews, Brennan, Campbell, Drinkwater, Galletta, Hall, Lajoie, Libby, Paulhus, Riseman, Terry, Zeigler.

Yes, 77; No, 61; Absent, 12; Vacant, 1; Excused, 0.

77 having voted in the affirmative and 61 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.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-102)** on Bill "An Act to Protect Birds and Wildlife in the Construction and Maintenance of Public Buildings"

(H.P. 439) (L.D. 670)

Signed:

Senators:

NANGLE of Cumberland
BALDACCI of Penobscot

Representatives:

STOVER of Boothbay
ABDI of Lewiston
COPELAND of Saco
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

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 Boothbay, Representative Stover.

Representative **STOVER**: Thank you, Madam Speaker. LD 670 seeks to reduce the number of bird fatalities and requests that BGS provide an annual report back to the Legislature detailing the guidance they have provided on how to reduce bird fatalities in public buildings. Thank you.

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

ROLL CALL NO. 65

YEA - Abdi, Ankeles, Arford, Bell, Boyle, 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, LaRoche, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, 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, Warren, White B, Williams, Worth, Zager, Madam Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Landry, Lanigan, Lavigne, Lemelin, 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 - Andrews, Brennan, Costain, Galletta, Hall, Lajoie, Libby, Paulhus, Terry, Zeigler.

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

77 having voted in the affirmative and 63 voted in the negative, 1 vacancy with 10 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-102)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-102)** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-104)** on Bill "An Act to Provide Qualifying Municipalities a Percentage of Adult Use Cannabis Sales and Excise Tax Revenues"

(H.P. 56) (L.D. 88)

Signed:

Senators:

GROHOSKI of Hancock

CHIPMAN of Cumberland

Representatives:

PERRY of Bangor

CROCKETT of Portland

HASENFUS of Readfield

LIBBY of Auburn

MATLACK of St. George

RANA of Bangor

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

CARMICHAEL of Greenbush

LAVIGNE of Berwick

QUINT of Hodgdon

RUDNICKI of Fairfield

READ.

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

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act to Remove the Annual Filing Requirement in the Property Tax Stabilization Laws"

(H.P. 334) (L.D. 529)

Signed:

Senators:

GROHOSKI of Hancock

CHIPMAN of Cumberland

LIBBY of Cumberland

Representatives:

PERRY of Bangor

CARMICHAEL of Greenbush

CROCKETT of Portland

HASENFUS of Readfield

LAVIGNE of Berwick

MATLACK of St. George

RANA of Bangor

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-107)** on same Bill.

Signed:

Representatives:

- LIBBY of Auburn
- QUINT of Hodgdon
- RUDNICKI of Fairfield

READ.

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

Representative CARMICHAEL of Greenbush **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 Skowhegan, Representative Poirier.

Representative **POIRIER**: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, though done with the greatest intentions, the property tax stabilization laws have caused great undue stress not only on our town clerks but our senior citizens. This Bill is simple yet effective and needed to change the current law. After helping countless seniors in my community and beyond, I heard over and over again their concern about missing deadlines for filing for the property tax freeze and the stress of just filling out the paperwork. Town clerks have been bombarded with paperwork and expect that to happen annually until there's a change, which is taking them away from their main duties of their employment.

LD 529 removes the annual filing requirement and those who benefit from the property tax stabilization are also required to notify the town office if they move or change ownership of the property. In addition, in the event that the recipient is deceased, the executor of the estate must notify the municipality. I do realize that the Committee has chosen to try to create their own legislation regarding this matter but this is something that needs to be done right away. We need to let our seniors know that we hear their concerns and that we're addressing this in an urgent manner. It's not something that should wait to be changed, so please follow my light and oppose the pending motion.

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

Representative **PERRY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, the testimony you just heard is accurate. It's just the tip of the iceberg of the problems with this Bill that we're trying to fix in the Tax Committee. We have several vehicles to address the problems with the stabilization, we are working on it every day. This is a small piece and this Bill is not needed at this time. 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. 66

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Bridgeo, Carmichael, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Davis, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Greenwood, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lavigne, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, 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, Warren, White B, Williams, Worth, Zager, Madam Speaker.

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

ABSENT - Andrews, Brennan, Costain, Galletta, Hall, Lajoie, Lanigan, Libby, Paulhus, Terry, Zeigler.

Yes, 82; No, 57; Absent, 11; Vacant, 1; Excused, 0.

82 having voted in the affirmative and 57 voted in the negative, 1 vacancy with 11 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act to Allow Commercial Driver's License Holders Who Are 18 to 20 Years of Age to Haul Hazardous Materials Intrastate"

(H.P. 339) (L.D. 534)

Signed:

Senators:

- CHIPMAN of Cumberland
- FARRIN of Somerset
- NANGLE of Cumberland

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-101)** on same Bill.

Signed:

Representative:

WHITE of Guilford

READ.

Representative WILLIAMS of Bar Harbor moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

Representative **WHITE**: Thank you, Madam Speaker. I would like just to explain a little bit of this before we proceed. The misconception here of allowing the 18- to 21-year-olds to obtain a hazmat certification isn't to allow an 18-year-old to drive a tractor-trailer full of gasoline down the highway. However, it is to allow, in many cases, an 18- to 21-year-old to enter into a career that they will not be able to fully achieve without this certificate. It is a common practice in the State of Maine for an 18-year-old to come out of a technical school and to obtain a

State license to install a furnace or heating oil tank or a propane tank onto your home. However, they can't bring that tank from the shop to your home because it is unlawful without allowing this to go through. It's ironic that today we have a day to recognize our Guard members. Our military has been authorizing 18- to 21-year-olds to haul hazardous materials for years now. The day before we voted on this in Committee, I happened to drive past a Guard truck on I-95 on my way in that morning who the young man that was driving the truck was hauling two fuel cells but he couldn't get out of that truck and go to his regular job and haul an empty heating oil tank back from a jobsite because he wouldn't be able to obtain the hazardous material license. This goes along with what we were talking about earlier. To hold these people back from attaining their career is just not right. These companies can't afford to send two people to the jobsite and to license them to be able to do one thing but not the other just makes no sense. They still have to maintain all of the ability to be proficient, to meet the standards necessary. There's no lacking on any of that. However, we're just arbitrarily throwing an age out and then on the other hand saying but if you want to go defend your country, we'll let you haul a load through the middle of any of our cities and that's just wrong. So, thank you, Madam Speaker.

Subsequently, 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**.

CONSENT CALENDAR

First Day

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

(S.P. 392) (L.D. 921) Bill "An Act to Allow the Local Foods Fund for Public Schools to Be Used for Processed and Value-added Maine Food Products" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass**

(S.P. 407) (L.D. 988) Resolve, Directing the Department of Agriculture, Conservation and Forestry to Conduct an Accessibility Study of All Maine State Parks and Historic Sites and to Develop a Plan to Remove Access Barriers Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-62)**

(H.P. 178) (L.D. 280) Bill "An Act to Make Maine Schools Safer and Healthier by Increasing the Maximum Debt Service Limit" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-109)**

(H.P. 206) (L.D. 308) Bill "An Act to Require That Insurance Companies Notify Workers over 65 Years of Age of Potential High Costs" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-108)**

(H.P. 287) (L.D. 470) Bill "An Act to Support Lead Abatement in Older Residential Properties" (EMERGENCY) Joint Select Committee on **HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-100)**

(H.P. 314) (L.D. 497) Bill "An Act to Prohibit the Use of Personal Watercraft on Keyes Pond and Stearns Pond in the Town of Sweden" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-99)**

(H.P. 327) (L.D. 522) Bill "An Act to Require That Motor Vehicles Be Clear of Snow When Operated on Public Ways" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-106)**

(H.P. 760) (L.D. 1200) Resolve, to Convene a Driver Education Working Group to Evaluate Hardships to Underserved Populations and Low-income Families Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-105)**

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

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

ENACTORS

Emergency Measure

An Act to Allow the Crew Member of a Holder of an Elver Fishing License to Empty an Elver Fyke Net

(H.P. 506) (L.D. 817)
(C. "A" H-89)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 113 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Amend the Membership of the Rare Disease Advisory Council

(H.P. 678) (L.D. 1083)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 109 voted in favor of the same and 7 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Amend the Terms of the Members of the Maine Space Corporation Board of Directors by Requiring Staggered Terms

(S.P. 637) (L.D. 1605)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 107 voted in favor of the same and 5 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act to Strengthen Temporary Protections for Children Living in Dwellings with Identified Lead Hazards

(H.P. 15) (L.D. 11)

An Act to Improve Access to Children's Behavioral Health Services

(H.P. 52) (L.D. 82)

An Act to Ensure Release of Relevant Background Investigation Material to Current Employers of Law Enforcement and Corrections Officers

(H.P. 64) (L.D. 96)

(C. "A" H-90)

An Act to Remove the Limit on Sets of Special Veterans Registration Plates

(S.P. 67) (L.D. 128)

(C. "A" S-57)

An Act Regarding the Terms of Trustees of the Phippsburg Cemetery District

(H.P. 84) (L.D. 138)

(H. "A" H-95)

An Act to Amend the Laws Regarding Certain Raffles Conducted by Eligible Organizations

(S.P. 76) (L.D. 147)

(C. "A" S-53)

An Act to Allow Electronic Distribution of Certain Documents to Municipalities and Electronic Acknowledgment of Receipt of Certain Documents as Acceptable Communications

(H.P. 94) (L.D. 153)

(C. "A" H-85)

An Act to Establish the Pink-edged Sulphur as the State Butterfly

(H.P. 160) (L.D. 239)

(C. "A" H-87)

An Act to Provide a Sales Tax Exemption for Diapers

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

(H. "A" H-64 to C. "A" H-47)

An Act to Support Higher Education in Maine by Providing Funds to Maine's Community Colleges

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

(C. "A" S-58)

An Act to Authorize the Department of Health and Human Services to License Home-based and Community-based Services for Persons with an Intellectual Disability, Autism Spectrum Disorder or a Related Condition or an Acquired Brain Injury and Define Autism Spectrum Disorder

(H.P. 278) (L.D. 449)

An Act to Clarify That Haulers Are Under the Jurisdiction of the Logging Dispute Resolution Board

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

An Act Regarding the Appointment of Expert Witnesses in Certain Family Court Actions

(H.P. 343) (L.D. 538)

(C. "A" H-86)

An Act to Limit the Driver's License Reinstatement Fee in Certain Circumstances

(H.P. 361) (L.D. 556)

(C. "A" H-82)

An Act to Provide Funding for Sexual Assault Services

(S.P. 237) (L.D. 566)

(C. "A" S-56)

An Act to Expand the Membership of the Permanent Commission on the Status of Women

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

(C. "A" S-51)

An Act to Provide Integrated Behavioral Health Services to Sexual Violence Survivors

(H.P. 505) (L.D. 816)

(C. "A" H-81)

An Act to Amend the Duties of the Office of Affordable Health Care

(H.P. 570) (L.D. 914)

(C. "A" H-83)

An Act Regarding the Transfer of Seized Currency to the Federal Government for Criminal Asset Forfeiture

(H.P. 609) (L.D. 962)

(C. "A" H-84)

An Act to Require All Emergency Medical Services Persons to Be Trained to Administer and Dispense Naloxone Hydrochloride

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

(S. "A" S-48)

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)

(C. "A" S-54)

An Act to Amend the Laws Regarding Public Sector Bargaining in Public Schools

(H.P. 690) (L.D. 1095)

(C. "A" H-79)

An Act to Increase Support for the Community Forestry Fund

(H.P. 734) (L.D. 1162)

(C. "A" H-78)

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, to Establish the Task Force on Accessibility to Appropriate Communication Methods for Deaf and Hard-of-hearing Patients

(H.P. 623) (L.D. 976)

(C. "A" H-91)

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 matter, in the consideration of which the House was engaged at the time of adjournment Thursday, May 4, 2023, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

Bill "An Act to Establish the Community Housing and Rural Development Authority"

(H.P. 1197) (L.D. 1867)

(Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** suggested)

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

PENDING - **REFERENCE**.

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

SENATE PAPERS

Bill "An Act to Ensure That a Teacher Who Participates in the Prevention of Dangerous Behavior Is Protected Under a Collective Bargaining Agreement"

(S.P. 770) (L.D. 1898)

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

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

Bill "An Act to Enact the Maine Psilocybin Health Access Act"

(S.P. 774) (L.D. 1914)

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

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

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

Bill "An Act to Support Emerging Adults Involved in the Criminal Justice System"

(S.P. 773) (L.D. 1913)

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

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

Bill "An Act to Classify Meat and Poultry Products Inspections as Essential Services"

(S.P. 778) (L.D. 1916)

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

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

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

Resolve, to Establish a Grant Program to Issue Shellfish Licenses to Qualified Disabled Veterans

(S.P. 775) (L.D. 1915)

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

REFERRED to the Committee on **MARINE RESOURCES** in concurrence.

Bill "An Act to Establish a Tax Credit for Employers Who Employ Persons Recovering from Substance Use Disorder"

(S.P. 772) (L.D. 1900)

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

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

Bill "An Act to Improve Public Roadways on Unbridged Islands Not Served by the Maine State Ferry Service"

(S.P. 769) (L.D. 1897)

Bill "An Act to Establish a Maine Commercial Driver's License for Use Within State Borders"

(S.P. 771) (L.D. 1899)

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

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

RESOLUTION, Proposing an Amendment to the Constitution of Maine To Implement Ranked-choice Voting for Governor, State Senator and State Representative

(S.P. 779) (L.D. 1917)

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

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

The SPEAKER: The Chair recognizes the Representative from Buxton, Representative Carlow.

Representative **CARLOW**: Thank you, Madam Speaker. Had I been present for Roll Calls 47, 48, 52, and 60, I would have voted in the affirmative. Had I been present on Roll Calls 49 through 51, 53 through 58 and 61 through 62, I would have voted in the negative. Thank you, Madam Speaker.

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

On motion of Representative RUDNICKI of Fairfield, the House adjourned at 2:10 p.m., until 10:00 a.m., Thursday, May 11, 2023, in honor and lasting tribute to the Honorable Charles Kent of Benton.