

MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE
FIRST SPECIAL SESSION
16th Legislative Day
Thursday, May 18, 2023

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

Prayer by Pastor Glenn Peterson, Hope Baptist Church, Manchester.

National Anthem by Bucksport High School Jazz Combo.
Pledge of Allegiance.

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

The Journal of Tuesday, May 16, 2023 was read and approved.

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

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Tuesday, May 16, 2023, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

JOINT RESOLUTION RECOGNIZING MAY 17, 2023 AS
WORLD NEUROFIBROMATOSIS AWARENESS DAY

(H.P. 1233)

TABLED - May 11, 2023 (Till Later Today) by Representative MASON of Lisbon.

PENDING - **ADOPTION.**

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

ORDERS

On motion of Representative ARATA of New Gloucester, the following Joint Resolution: (H.P. 1261) (Cosponsored by President JACKSON of Aroostook and Representatives: ABDI of Lewiston, BRADSTREET of Vassalboro, DHALAC of South Portland, FAULKINGHAM of Winter Harbor, Speaker TALBOT ROSS of Portland, Senators: HICKMAN of Kennebec, KEIM of Oxford, STEWART of Aroostook) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 214)

**JOINT RESOLUTION HONORING THE
CAMBODIAN NATIONAL DAY OF REMEMBRANCE**

WHEREAS, beginning in April 1975 and ending in January 1979, between 1,700,000 to 3,000,000 people, approximately 25% of the population, were deliberately and systematically killed in Cambodia in one of the worst human tragedies of the modern era; and

WHEREAS, in 1975, Pol Pot led the Communist guerilla group, the Khmer Rouge, in a large-scale insurgency in Cambodia that resulted in the removal of Cambodians from their homes and into labor camps in an attempt to restructure Khmer society; and

WHEREAS, traditional Khmer culture and society were systematically destroyed, including the destruction of temples, schools, hospitals and other buildings; and

WHEREAS, families were separated in an attempt by the Khmer Rouge to prevent traditional family formation; and

WHEREAS, the Khmer Rouge maintained control by mass public torture, executions and dismantling of the social order; and

WHEREAS, men, women and children were sent to labor camps and forced to do strenuous farm work, and famine and disease became epidemic while medicine and medical care were nonexistent; and

WHEREAS, after the Khmer Rouge regime was overthrown in 1979, thousands of Cambodians fled to refugee camps and approximately 145,149 Cambodians made their way to the United States between 1975 and 1999, with the majority of Cambodians arriving in the early 1980s; and

WHEREAS, despite their tremendous loss, Cambodians and Cambodian Americans have shown courage and resiliency; and

WHEREAS, the memory of those Cambodians who were killed during the Cambodian genocide must never be forgotten and the survivors of the Cambodian genocide should be honored; and

WHEREAS, Cambodian refugees have done much to further successful resettlement for others in the United States, including through mutual assistance associations organized by previously resettled Southeast Asian refugees to help new refugees through the provision of essential social, psychological, cultural, educational and economic services; and

WHEREAS, while remembering and honoring both their traditional culture and their traumatic past, the new generation of Cambodian Americans is contributing to American society in meaningful ways; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to recognize May 20, 2023 as the Cambodian National Day of Remembrance, a day to remember the Cambodian genocide, which took place from April 1975 to January 1979.

READ.

The SPEAKER: The Chair recognizes the Representative from New Gloucester, Representative Arata.

Representative **ARATA**: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, one of the most important things I was taught about in college wasn't biochemistry or physics but about the Cambodian genocide. Growing up in rural Maine, I'd never heard of such a thing until I became friends with a student who had been a refugee from Cambodia. He told me stories about babies being thrown in the air and caught on spears and other people murdered just for wearing glasses or for being students or for showing any western influence or signs of education. My friend was only about seven years old when he worked in the forced labor camps but he still remembers the hunger and bone-chilling cold. He had to flee Cambodia with his grandmother and little brother after his father was killed because they feared that they'd be hunted down and murdered too.

We can't be complacent and smugly think that these things couldn't happen here as well. Genocide starts with the dehumanization of certain groups of people, often based on race or religion, but we can also be guilty of devaluing people based on almost any reason, including whether they're Democrats or Republicans, rich or poor, country or city dwellers, or elderly or unborn. We must remember as we vigorously debate the difficult issue of the proper role of government and taxpayer dollars regarding immigration that we are talking about precious, individual human beings and we must be respectful in our references to them. Immigrants have so much to offer and if you

ever need heart surgery in Boston, my Cambodian friend might just help save your life. Thank you.

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Madeline Wagner, of Winthrop, a sophomore at Winthrop High School and a member of the field hockey team, who has been named the Sun Journal All-Region Field Hockey Player of the Year. We extend our congratulations and best wishes;

(HLS 212)

Presented by Representative HASENFUS of Readfield.

Cosponsored by Senator HICKMAN of Kennebec.

On **OBJECTION** of Representative HASENFUS of Readfield, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

the Winthrop High School Field Hockey Team, which won the 2022 Class C State Championship, the team's second state title in two years. We extend our congratulations and best wishes;

(HLS 213)

Presented by Representative HASENFUS of Readfield.

Cosponsored by Senator HICKMAN of Kennebec.

On **OBJECTION** of Representative HASENFUS of Readfield, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Readfield, Representative Hasenfus.

Representative **HASENFUS**: Thank you, Madam Speaker. Last October at senior night, it was a wonderful day as I was able to give a Sentiment to one of my former teachers who was instrumental in my life who also happens to be the long-time coach of the Winthrop Field Hockey team and, in fact, was the coach of my wife back when she used to play there. Needless to say, I have a long history with this team and I couldn't be happier to see them back here. And I told them that day, I said work hard, stay focused, have fun, and take care of your job and I'll see you back again at the State House. Well, their efforts paid off, they called my challenge, and though it was a nail-biter in a two to one overtime victory, here we are again. Congratulations. This is a day and that Championship was a day that you will remember for the rest of your lives and take it with you wherever you go. And I want to thank you for once again giving me the opportunity on the House Floor. Rambler pride!

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

Recognizing:

the Bowdoinham Plant Sale, on the occasion of its 50th Anniversary. Organizers of the sale include Leslie Anderson, Billie Oakes, Betsy Steen, Sally Clemens, Audrey Johnson and Gayle Cogan and their family members, who were always encouraged to help out. The Bowdoinham plant sale, the oldest continuing plant sale in the State, was started to raise money for the library building, and the first sale brought in \$131.00. Since then, the plant sale has raised \$344,749.51 for Bowdoinham Public Library, including a record \$14,598.66 in 2009. We extend our appreciation to these ladies, their families and the hundreds of people of Bowdoinham for their dedication and commitment to the citizens of the town and the State;

(HLS 353)

Presented by Representative CLUCHEY of Bowdoinham.

Cosponsored by Senator VITELLI of Sagadahoc.

On **OBJECTION** of Representative CLUCHEY of Bowdoinham, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Bowdoinham, Representative Cluchey.

Representative **CLUCHEY**: Thank you. Madam Speaker, Fellow Representatives of the House, when five young mothers in 1974 decided to host a plant sale, their goals were modest and achievable. They wanted to raise enough money to buy two gallons of paint to brighten the interior of the Bowdoinham Public Library. They dug plants from their gardens, placed them in Styrofoam cups that they had salvaged after a bean supper, set up a card table outside the local store, and raised \$131 with which to purchase that now-famous orange and yellow paint. Over the next 49 years, the sale continued. The original five were joined by hundreds of other Bowdoinham people to champion the longest continuously-operated plant sale in Maine. Since that first sale in 1974, the Bowdoinham Public Library plant sale has raised a total of \$344,749. Their highest-grossing one-day sale raised \$14,600.

This Saturday marks their 50th and final sale. These Bowdoinham people represent the best of small-town volunteerism. They have been tireless champions of a small-time library, allowing for the support of staffing, programming and the purchase of quality books and materials. This morning, we are joined by children and grandchildren of the founding group. Where are the founders? I am told they are busy preparing for Saturday's sale, unwilling to stop digging, potting and pricing their perennials and reluctant to clean the dirt from beneath their fingernails quite yet. On behalf of the Bowdoinham Public Library, I invite you to come to the plant sale at the Maily Waterfront Park on Saturday and to bring a little bit of Bowdoinham back to your garden. Please join me in recognizing these scrappy women for their 50 years of service and their commitment to their small-town library.

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

Recognizing:

the Bucksport High School FIRST Robotics Team, Team 6329, which won the New England FIRST Robotics Competition and is now ranked 9th in the world. We extend our congratulations and best wishes;

(HLS 363)

Presented by Representative RUSSELL of Verona Island.

Cosponsored by Senator LYFORD of Penobscot.

On **OBJECTION** of Representative RUSSELL of Verona Island, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

the Bucksport High School Jazz Combo Groups, which won Silver Medals at the Maine Music Educators Association State Instrumental Jazz Festival. We extend our congratulations and best wishes;

(HLS 364)

Presented by Representative RUSSELL of Verona Island.

Cosponsored by Senator LYFORD of Penobscot.

On **OBJECTION** of Representative RUSSELL of Verona Island, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Verona Island, Representative Russell.

Representative **RUSSELL**: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, I rise today to honor two extraordinary groups of students from Bucksport High School. There is a long tradition of excellence at Bucksport. Their trophy case is filled with hardware and gold balls from many of their athletic and other achievements. Now, this small mid-coast school has broadened its horizons, bringing new aura to a proud school.

Joining us today is the Bucksport Jazz Team. We've just heard three of its members sing our National Anthem and one of its jazz combos played on the fourth floor earlier. This year, the team competed in the MMEA Instrumental Jazz Festival with two jazz combos. Big schools and small schools were combined and all competed together; 140 musicians in all. Both of their combos scored high, finishing second and third in the competition. In the five overall individual excellence awards, Bucksport musicians won three of the five. All three performed multiple instruments and/or vocals. Veronica Gray-Barrios sang and played the trombone, Dylan Courtney played piano, trumpet and conga drums and Nina Emery played piano, trumpet, conga drums and sang. Dylan and Nina were named to the All-State Jazz Band. Their entire community is extremely proud of them. Congratulations Bucksport Jazz Team.

The Bucksport Robotics Team began seven years ago with zero experience and a woodshop with some hand tools, a band saw and a chop saw. Due to hard work and enthusiastic community backing, they now have seven 3-D printers, a CNC mill, a CNC router and a CNC plasma table. Their school offers courses in intro engineering, advanced engineering, general CAD, CAD milling and a curriculum of computer science. From a handful of students in 2017, Bucksport Wrath, as they're named, is now comprised of a diverse group of over 30 students, making it the largest extracurricular program in the school. So, with all that said, here's what this small Maine town robotics team accomplished this year; they swept through the regional FIRST Robotics competitions in Rhode Island, New Hampshire, and Massachusetts, earning a spot in the FIRST Robotics

worldwide competition finals in Houston, Texas. Out of the original 3,300 teams from 23 countries around the world, 619 teams earned their way to Houston. Team 6329 from Bucksport, Maine, was among them. In Houston, as the 619 teams whittled down to the final Einstein Field Competition, Bucksport Wrath, or team 6329, was still there, eventually finishing third in the world by a hair. I met with them recently and asked the team what was most special to them about their experience. They told me it was the respect they earned from teams from places like Texas and California and other places around the world, some that were backed by six-figure budgets and had NASA engineers as team advisors. And yet, they in their small town and small high school in Maine, by working hard and smart and together and with their community solidly behind them, they deserved to be there and felt like they earned it. It all sounded like the perfect formula for their lives ahead. Congratulations, Bucksport Wrath; well done.

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

Recognizing:

Mid Coast Hunger Prevention Program, of Brunswick, which is celebrating its 40th Anniversary. The Mid Coast Hunger Prevention Program is the largest hunger relief and prevention agency in the mid coast region. Its mission is to offer dignity and empowerment by providing all members of its community with access to healthy food. We extend our congratulations and best wishes;

(HLS 365)

Presented by Representative ARFORD of Brunswick.

Cosponsored by Senator DAUGHTRY of Cumberland, Representative ANKELES of Brunswick, Representative GOLEK of Harpswell.

On **OBJECTION** of Representative ARFORD of Brunswick, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Brunswick, Representative Arford.

Representative **ARFORD**: Thank you, Madam Speaker. I rise to recognize the Mid Coast Hunger Prevention Program of Brunswick, which is celebrating its 40th anniversary. The Mid Coast Hunger Prevention Program is the largest hunger relief and prevention agency serving the mid-coast region. Over the past 40 years, the program has worked to successfully deliver its mission, offering dignity and empowerment to all members of our community by ensuring that quality nutritious food is available to all. Under the leadership of executive director Karen Parker, the differences of our friends and neighbors are celebrated. The program removes barriers to healthful meals for all members of the mid-coast community in need, regardless of race, color, age, religion, sexual orientation or gender identity. The online order-ahead and pick-up service is available to anyone in need. It is but one example of their inclusive policy. Thank you, Mid Coast Hunger Prevention Program for 40 years of critically important service to Maine people.

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

ORDERS

On motion of Representative DHALAC of South Portland, the following Joint Resolution: (H.P. 1268) (Cosponsored by Senator DUSON of Cumberland and Representatives: ABDI of Lewiston, RANA of Bangor, Speaker TALBOT ROSS of Portland)

JOINT RESOLUTION CONDEMNING THE HUMAN RIGHTS VIOLATIONS BEING PERPETRATED AGAINST THE SUDANESE PEOPLE

WHEREAS, the United Nations Human Rights Council recently opened a special session on the human rights impact of the ongoing conflict between rival military factions in Sudan, with the High Commissioner for Human Rights strongly condemning the wanton violence taking place in the country in which both sides have trampled international humanitarian law, notably the principles of distinction, proportionality and precaution; and

WHEREAS, the Sudanese military launched attacks in densely occupied civilian areas, including airstrikes, causing immense damage and destroying the hopes and rights of millions of people; and

WHEREAS, since April 15, 2023, at least 487 civilians have been killed, notably in Khartoum, El Geneina, Nyala and El Obeid, with the real figure likely being much higher; and

WHEREAS, more than 154,000 people have fled the country and an estimated 700,000 more have been displaced inside the borders of Sudan. Those who have remained in areas affected by the conflict are at continued, severe risk. In Khartoum, clashes between the 2 armed forces, shelling and airstrikes have taken place in heavily populated residential areas, and millions of people are now struggling to access food, fuel and currency. In parts of Darfur, as well as the Blue Nile and Kordofan regions, the violence between military groups has triggered interethnic clashes; and

WHEREAS, since the onset of hostilities, an alarming number of lives have been lost, and the collapse of basic infrastructure and the disintegration of critical services, including hospitals, has compounded the plight of the population. The pressing situation necessitates an immediate and prolonged cease-fire; 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, pause in our deliberations to condemn the human rights violations being perpetrated against the Sudanese people and express our support for an immediate cease-fire and negotiations to end the conflict and foster the establishment of a government led by civilians.

READ and ADOPTED.
Sent for concurrence.

SENATE PAPERS

Non-Concurrent Matter

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)

REFERRED to the Committee on **TAXATION** in the House on May 9, 2023.

Came from the Senate **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act to Create Parity in the Taxation of Medicine"

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

Minority (2) **OUGHT NOT TO PASS** Report of the Committee on **TAXATION READ** and **ACCEPTED** in the House on May 4, 2023.

Came from the Senate with the Majority (9) **OUGHT TO PASS AS AMENDED** Report of the Committee on **TAXATION READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-73)** in **NON-CONCURRENCE**.

On motion of Representative PERRY of Bangor, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

COMMUNICATIONS

The Following Communication: (H.C. 177)

STATE OF MAINE

131ST MAINE LEGISLATURE

May 11, 2023

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, ME 04333-0002

Dear Clerk Hunt:

Pursuant to our authority under Title 12, Chapter 619, Subchapter 2, §6447 of the Maine Revised Statutes, we are pleased to appoint the following members to the Lobster Management Policy Council:

Representative Anne Perry of Calais – Zone A

House Republican Leader Billy Bob Faulkingham of Winter Harbor – Zone B

Representative Holly Eaton of Deer Isle – Zone C

Senator Cameron Reny of Bristol – Zone D

Representative Allison Hepler of Woolwich – Zone E

Representative Morgan Rielly of Westbrook – Zone F

Representative Wayne Parry of Arundel – Zone G

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

Sincerely,

S/Troy D. Jackson

President of the Senate

S/Rachel Talbot Ross

Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 174)

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

May 18, 2023

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

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

on May 15, 2023

Sascha Deri of Brunswick, James Brann of Wells, Scott Wardwell of Presque Isle, Phillip Rench of Waterboro, Charles Rudelitch of Harrington, John Lesko of Portland, Kristin Sims of Appleton, Daniel Greisen of Yarmouth, Barbara Silber Lamont of Portland, Deborah Bronk, PhD of Trevett and Dawn DeBlasi of Norridgewock for appointment to the Maine Space Corporation Board of Directors.

Pursuant to 5 MRSA §13201, these appointments are contingent on confirmation by the Maine State Senate after review by the Joint Standing Committee on Innovation, Development, Economic Advancement and Business.

on May 16, 2023

The Honorable Cynthia L. Montgomery for reappointment, and Erika S. Bristol, Esq. and Katherine E. Tierney, Esq. for appointment as Judges of the Maine District Court.

Pursuant to Article V, Part First, §8, of the Maine Constitution, this reappointment and appointments are contingent on confirmation by the Maine State Senate after review by the Joint Standing Committee on Judiciary.

The Honorable E. Allen Hunter of Westmanland for reappointment as an Active Retired Justice of the Maine Superior Court.

Pursuant to Article V, Part First, §8, of the Maine Constitution, this reappointment is contingent on confirmation by the Maine State Senate after review by the Joint Standing Committee on Judiciary.

Sincerely,

S/Rachel Talbot Ross

Speaker of the House

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

The Following Communication: (H.C. 175)

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

May 18, 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:"

Appropriations and Financial Affairs

L.D. 734 An Act to Authorize the Treasurer of State and Municipalities to Invest in Gold, Silver and Other Precious Metals

L.D. 1023 An Act to Strengthen Maine's Financial Future in Perpetuity by Establishing the Irrevocable Budget Trust Fund

Education and Cultural Affairs

L.D. 33 An Act to Expand Access to Career and Technical Education Opportunities for Middle School Students

L.D. 725 An Act to Add an Adult Education Pathway to a High School Diploma

L.D. 955 An Act to Address Shortages of School Support Staff by Increasing the Minimum Hourly Wage for Those Staff

L.D. 1144 An Act to Ban Monitoring Software Targeting Maine Students

L.D. 1237 An Act to Establish a Minimum Hourly Wage for School Support Staff

L.D. 1314 An Act to Establish a Minimum Salary for Educational Specialists, Educational Technicians and School Teaching Professionals

L.D. 1532 An Act to Require the Timely Reimbursement by the State of Costs Incurred by a School Administrative Unit for Special Education Programs

L.D. 1565 Resolve, to Establish a Pilot Program to Provide Grants to Expand Age Eligibility for Life Skills and Vocational Programs in Public Schools

L.D. 1820 An Act to Expand Access to Good Jobs with Better Career and Technical Education

Environment and Natural Resources

L.D. 242 An Act to Clarify That Animal Health Products Are Exempt from the Perfluoroalkyl and Polyfluoroalkyl Substances Reporting Law

L.D. 1081 An Act to Impose a Fee on Commercial Water Withdrawn from Lakes and Ponds to Fund Conservation Efforts and Prohibit a Fee on the Sale of Water Withdrawn from a Lake or Pond

L.D. 1214 An Act to Clarify the Laws to Combat Perfluoroalkyl and Polyfluoroalkyl Substances Contamination

L.D. 1273 An Act to Exempt Some Businesses from Certain Laws Relating to Perfluoroalkyl and Polyfluoroalkyl Substances in Accordance with the Size of the Business

L.D. 1658 An Act to Verify the Reduction of Global Greenhouse Gas Emissions for Certain Electric Transmission Line Projects

Health and Human Services

L.D. 333 An Act to Protect the Homes of Individuals Placed in Long-term Care by Excluding the Individuals' Primary Residences in Eligibility Considerations

L.D. 584 An Act to Permit the Conduct of Open Air Cremation at Designated Sites

L.D. 658 An Act to Increase Funding for and Stabilize the Independent Housing with Services Program Under the Department of Health and Human Services

L.D. 1194 An Act to Implement Work Requirements Under the MaineCare Program

L.D. 1226 An Act to Require MaineCare to Give a 60-day Notice Prior to Terminating Benefits

L.D. 1269 An Act to Empower Patients and Eliminate Welfare Cliffs in the MaineCare Program by Establishing a MaineCare Savings Account Pilot Program

L.D. 1287 An Act to Establish an Appeal Process for Child Care Providers

L.D. 1317 Resolve, to Establish the Commission to Promote the Integration of Human Health and Environmental Health

- L.D. 1339 Resolve, to Establish the Task Force to Study Forming the Maine Commission on Disabilities
- L.D. 1429 An Act to Establish a Navigator Position in the Department of Health and Human Services for Families and Children Involved in the Foster Care System
- L.D. 1440 Resolve, to Increase the Availability of Community Children's Behavioral Health Services by Providing Training and Career Opportunities for Behavioral Health Professionals
- L.D. 1448 An Act to Change the Temporary Assistance for Needy Families Program Requirements by Reducing Benefits Commensurate with a Recipient's Salary, Reducing the Special Housing Allowance and Limiting Eligibility for 2-parent Families
- L.D. 1469 Resolve, to Sufficiently Staff Overnight Behavioral Health Crisis Facilities
- L.D. 1617 Resolve, to Increase Access to Brain Injury Waiver Services (EMERGENCY)
- L.D. 1784 Resolve, to Improve Access to Appropriate Levels of Long-term Care by Rebasing and Increasing Reimbursement Rates (EMERGENCY)
- L.D. 1785 Resolve, to Establish the Blue Ribbon Commission to Make Recommendations to Update Laws Governing the Continuum of Long-term Care Options (EMERGENCY)
- Health Coverage, Insurance and Financial Services
- L.D. 1220 An Act to Require Lyme Disease Vaccine Coverage for State-regulated Health Plans
- L.D. 1404 An Act Requiring Insurance Companies to Cover the Care of Expectant Mothers in Adoption Cases and Provide Notice of That Coverage to Pregnant Women
- L.D. 1447 Resolve, to Authorize the Training of Nursing Assistants by Certified Nursing Assistants
- L.D. 1546 An Act Regarding Nondiscrimination in Financial Services
- L.D. 1665 An Act to Improve Breast Health Care by Providing Coverage for Genetic Counseling and Testing
- L.D. 1890 An Act to Ensure Robust Contracts Between Insurers and Providers by Establishing Dispute Resolution Procedures
- Housing
- L.D. 665 An Act to Extend the Date by Which Compliance is Required for Affordable Housing Development, Increased Numbers of Dwelling Units and Accessory Dwelling Units
- L.D. 801 An Act to Require Municipalities to Obtain Housing Units for Residents Experiencing Homelessness
- L.D. 1154 An Act Regarding Accessory Dwelling Units and Municipal Zoning Ordinances
- L.D. 1358 An Act to Clarify Density Requirements for Affordable Housing Developments
- Taxation
- L.D. 1381 An Act to Create Fairness in Maine's Motor Vehicle Excise Tax by Basing the Tax on the Sale Price
- L.D. 1445 An Act to Enact a Seasonal Sales Tax to Provide Income Tax Relief to Maine Residents
- L.D. 1486 An Act to Exempt Tractor Trailer Trucks from the Excise Tax

Sincerely,

S/Robert B. Hunt
Clerk of the House

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

The Following Communication: (H.C. 176)

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

May 18, 2023

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

Dear Speaker Talbot Ross:

Pursuant to Joint Rule 310, the Committee on Taxation has approved the request by the sponsor, Senator Stewart of Aroostook, to report the following "Leave to Withdraw:"

L.D. 1600 An Act to Improve Property Tax Relief for Certain Disabled Veterans

Sincerely,

S/Robert B. Hunt
Clerk of the House

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

The Following Communication: (S.C. 474)

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

May 16, 2023

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

Dear Speaker Talbot Ross:

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

Upon the recommendation of the Committee on Environment and Natural Resources, Michael Shaw of Freeport for appointment to the Maine Outdoor Heritage Fund Board.

Best Regards,

S/Darek M. Grant
Secretary of the Senate

READ and **ORDERED PLACED ON FILE.**

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act to Authorize a General Fund Bond Issue to Invest in Maine's Railroad Infrastructure"

(H.P. 1259) (L.D. 1957)

Sponsored by Representative COLLINGS of Portland.

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

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Sent for concurrence.

Bill "An Act to Address the Recent Mill Closure in the Town of Jay by Providing Funds to Offset Property Tax Loss" (H.P. 1256) (L.D. 1954)

Sponsored by Representative LYMAN of Livermore Falls. Cosponsored by Senator KEIM of Oxford and Representatives: BRIDGEO of Augusta, CROCKETT of Portland, FAULKINGHAM of Winter Harbor, FOSTER of Dexter, HALL of Wilton, MORRIS of Turner, POLEWARCZYK of Wiscasset, SAMPSON of Alfred. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested.

On motion of Representative MATLACK of St. George, the Bill was **REFERRED** to the Committee on **TAXATION**, ordered printed and sent for concurrence.

Bill "An Act to Require Hospitals and Hospital-affiliated Providers to Provide Financial Assistance for Medical Care" (H.P. 1257) (L.D. 1955)

Sponsored by Speaker TALBOT ROSS of Portland. Cosponsored by Senator TIPPING of Penobscot and Representatives: GATTINE of Westbrook, STOVER of Boothbay, Senators: BALDACCI of Penobscot, President JACKSON of Aroostook, RENY of Lincoln.

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

On motion of Speaker TALBOT ROSS of Portland, the Bill was **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES**, ordered printed and sent for concurrence.

Bill "An Act to Amend the Laws Governing Optometrists" (H.P. 1258) (L.D. 1956)

Sponsored by Representative POIRIER of Skowhegan. Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

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

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

Sent for concurrence.

Bill "An Act to Amend the Membership of the Somerset Woods Trustees" (H.P. 1265) (L.D. 1968)

Sponsored by Representative DUCHARME of Madison. Cosponsored by Senator FARRIN of Somerset and Representatives: DUNPHY of Embden, POIRIER of Skowhegan. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

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

Sent for concurrence.

Bill "An Act to Support Municipal Franchise Agreements" (H.P. 1264) (L.D. 1967)

Sponsored by Representative SACHS of Freeport. Cosponsored by Senator LAWRENCE of York and Representatives: BLIER of Buxton, CARLOW of Buxton, GEIGER of Rockland, HEPLER of Woolwich, KESSLER of South Portland, Senators: GROHOSKI of Hancock, HICKMAN of Kennebec, RAFFERTY of York.

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

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

Sent for concurrence.

An Act to Provide the Mi'kmaq Nation with Sales Tax Revenue for Sales Occurring on Mi'kmaq Nation Territory (H.P. 1260) (L.D. 1958)

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

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

Sent for concurrence.

Bill "An Act to Authorize the Secretary of State to Provide a New General Issue of License Plates" (H.P. 1262) (L.D. 1965)

Sponsored by Representative WILLIAMS of Bar Harbor. Cosponsored by Representatives: ALBERT of Madawaska, ANKELES of Brunswick, CRAFTS of Newcastle, O'CONNELL of Brewer, PARRY of Arundel, THERIAULT of Fort Kent, WHITE of Waterville, Senator: FARRIN of Somerset. Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

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

Sent for concurrence.

Bill "An Act to Allow Candidates for County Office to Participate in the Maine Clean Election Act" (H.P. 1263) (L.D. 1966)

Sponsored by Representative COLLINGS of Portland. Cosponsored by Representative: RIELLY of Westbrook.

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

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

Sent for concurrence.

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

ORDERS

On motion of Representative WHITE of Waterville, the following House Order: (H.O. 24)

ORDERED, that Representative John Andrews of Paris be excused May 9 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Richard T. Bradstreet of Vassalboro be excused May 4 and 11 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Nathan M. Carlow of Buxton be excused May 4 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Benjamin C. Hymes of Waldo be excused May 11 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Thomas A. Lavigne of Berwick be excused May 16 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Kathy A. Shaw of Auburn be excused May 11 for personal reasons.

READ and PASSED.

REPORTS OF COMMITTEE

Change of Committee

Representative PERRY from the Committee on **TAXATION** on Bill "An Act to Improve, Protect and Defend the Individual Civil Right to Bear Arms Through Exemption of Firearms and Ammunition from Taxation"

(H.P. 406) (L.D. 629)

Reporting that it be **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE.**

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **INLAND FISHERIES AND WILDLIFE.**

Sent for concurrence.

Divided Reports

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-83)** on Resolve, Directing the Treasurer of State to Review and Develop Options for Meeting the Banking Needs of the Cannabis Industry

(S.P. 347) (L.D. 788)

Signed:

Senators:

- BAILEY of York
- BRAKEY of Androscoggin
- RENY of Lincoln

Representatives:

- PERRY of Calais
- ARFORD of Brunswick
- CLUCHEY of Bowdoinham
- MASTRACCIO of Sanford
- MATHIESON of Kittery
- MORRIS of Turner
- NUTTING of Oakland
- PRINGLE of Windham
- SWALLOW of Houlton

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

Signed:

Representative:

CYRWAY of Albion

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-83).**

READ.

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

Representative CYRWAY of Albion **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 Albion, Representative Cyrway.

Representative **CYRWAY:** Thank you, Madam Speaker, Ladies and Gentlemen of the House. As you notice on the paper, it's got my name at the bottom. I just wanted to let you know that, Madam Speaker, my heart is with the children in this great State of Maine and where there is drugs, there is money. Cannabis is still federally regulated as a Schedule I drug equal to cocaine. Madam Speaker, this Resolve is directing our State Treasurer to work for the cannabis industry to find ways to skirt around the federal laws in our banking industry of finance. We made a special tax pot and let's try to fix a way for banking to accept it. I don't feel that that's right. We don't do this for cocaine or shrooms and I have to speak up, Madam Speaker, for our future, our hopes and dreams for our children. Please vote against this motion. They use fentanyl as prescription drugs; do we find ways to bank that money? I don't think so, and please vote against this motion. Thank you.

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

Representative **UNDERWOOD:** Thank you, Madam Speaker. I agree with the Representative Cyrway. He's presented a good argument and I, too, will be voting alongside of him. 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. 78

YEA - Abdi, Andrews, Ankeles, Arford, Babin, Bagshaw, Bell, Blier, Boyer, Boyle, Brennan, Bridgeo, Carlow, Cloutier, Cluchey, Collamore, Collings, Copeland, Costain, Crafts, Craven, Cray, Crockett, Dhalac, Dill, Dodge, Doudera, Dunphy, Eaton, Faulkingham, Fay, Fredericks, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Griffin, Guerrette, Haggan, Hasenfus, Henderson, Hepler, Hobbs, Hymes, Jackson, Jauch, Javner, Kessler, Kuhn, Landry, Lanigan, LaRochelle, Lee, Libby, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Morris, Murphy, Nutting, O'Neil, Osher, Parry, Paul, Paulhus, Perry A, Perry J, Pluecker, Poirier, Pomerleau, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Rudnicki, Runte, Russell, Salisbury, Sargent, Sayre, Schmersal-Burgess, Shagoury, Sheehan, Skold, Smith, Stover, Strout, Supica, Swallow, Terry, Theriault, Thorne, Warren, White B, White J, Williams, Woodsome, Worth, Zager, Madam Speaker.

NAY - Albert, Arata, Ardell, Bradstreet, Carmichael, Cyrway, Davis, Drinkwater, Ducharme, Foster, Gifford, Greenwood, Lavigne, Lemelin, Lyman, Mason, Ness, Newman, O'Connell, Perkins, Polewarczyk, Quint, Underwood, Walker.

ABSENT - Adams, Campbell, Galletta, Hall, Lajoie, Millett H, Sachs, Sampson, Shaw, Soboleski, Wood, Zeigler.
Yes, 114; No, 24; Absent, 12; Vacant, 1; Excused, 0.

114 having voted in the affirmative and 24 voted in the negative, 1 vacancy with 12 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (S-83)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-83)** in concurrence.

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act to Authorize State Special Purpose Depository Institutions for Digital Assets"

(S.P. 409) (L.D. 990)

Signed:
Senators:

BAILEY of York
RENY of Lincoln

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-87)** on same Bill.

Signed:
Senator:

BRAKEY of Androscoggin

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

READ.

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

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass** on Bill "An Act to Advance the Maine Retirement Savings Program" (EMERGENCY)

(S.P. 451) (L.D. 1082)

Signed:
Senators:

BAILEY of York
RENY of Lincoln

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-78)** on same Bill.

Signed:
Senator:

BRAKEY of Androscoggin

Representative:

MORRIS of Turner

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

READ.

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

The Bill was **READ ONCE**.

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

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

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-64)** on Bill "An Act to Protect Maine People from Inflation by Restoring Gold and Silver as Legal Tender"

(S.P. 507) (L.D. 1270)

Signed:
Senators:

BRAKEY of Androscoggin
RENY of Lincoln

Representatives:

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

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

Signed:

Senator:

BAILEY of York

Representative:

MATHIESON of Kittery

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

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-64)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-64)** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-29)** on Bill "An Act to Require the Recording of Grand Jury Proceedings"

(S.P. 207) (L.D. 453)

Signed:

Senators:

CARNEY of Cumberland

BAILEY of York

Representatives:

MOONEN of Portland

KUHN of Falmouth

LEE of Auburn

RECKITT of South Portland

SHEEHAN of Biddeford

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

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ANDREWS of Paris

HAGGAN of Hampden

HENDERSON of Rumford

MORIARTY of Cumberland

POIRIER of Skowhegan

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-29)**.

READ.

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

Representative POIRIER **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 Skowhegan, Representative Poirier.

Representative **POIRIER**: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, this bill requires that all grand jury proceedings in Maine be recorded, as they are in federal grand jury proceedings. The Maine Prosecutors Association testified that State and federal proceedings differ greatly. Federal grand juries are used as an investigative body to elicit testimony from witnesses. In contrast, the Maine grand jury presents cases to determine if there's probable cause or whether or not to indict. She further testified that the Maine Rules of Unified Criminal Procedure contain a whole section of how someone can request a proceeding be recorded. The Judicial Branch cited the lack of clerks trained and qualified to record and the short staffing the courts are experiencing in general. This bill will require additional staff and funding. This bill isn't necessary so I ask you all to please follow my light and oppose the pending motion.

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

Representative **MOONEN**: Thank you, Madam Speaker. Madam Speaker, Members of the House, I agree with a substantial amount of what my colleague from Skowhegan said. The federal courts do already do this and this will require some additional resources. I want to clarify that the Judicial Branch testified neither for nor against this bill. There is a fiscal note on it for one Courtroom Technology Assistant position. I don't think that's a particularly dramatic fiscal note. And I think for the majority of the folks on the Committee, this was really about what is the ideal best practice. As I said, the federal courts do this. We got testimony from defense attorneys who felt that it would be really important to know if someone's testimony in front of a grand jury was significantly different from the story that they were telling at trial. And so, getting access to recordings of grand jury proceedings would be really helpful in that respect.

So, we certainly understood that the fiscal note will send this bill to the Appropriations Table and that Committee will deal with it as they see fit and fund it or not but we felt that from the policy perspective, recording these was the right thing to do. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Monticello, Representative Ardell.

Representative **ARDELL**: Thank you, Madam Speaker. I rise today in opposition to this bill. Grand jury is a secret proceeding. It is a test in felony matters or something that the people, Mainers, want to proceed with with the criminal matter at hand. Recording grand jury proceedings could create a chilling effect on the involvement of grand jurors, regular people who are called to serve and assist our criminal justice system and, for that reason, I oppose this bill. Thank you.

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

ROLL CALL NO. 79

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

NAY - Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Bridgeo, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Dill, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Geiger, Gifford, Greenwood, Griffin, Guerrette, Haggan, Henderson, Hepler, Hymes, Jackson, Javner, Landry, Lanigan, LaRochelle, Lavigne, Lemelin, Libby, Lyman, Mason, Moriarty, Morris, Ness, Newman, Nutting, O'Connell, Parry, Paul, Perkins, Perry J, Poirier, Polewarczyk, Pomerleau, Pringle, Quint, Riseman, Rudnicki, Sargent, Schmearsal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White B, White J, Williams, Woodsome.

ABSENT - Adams, Campbell, Galletta, Hall, Lajoie, Millett H, Sachs, Sampson, Shaw, Wood, Zeigler.

Yes, 65; No, 74; Absent, 11; Vacant, 1; Excused, 0.

65 having voted in the affirmative and 74 voted in the negative, 1 vacancy with 11 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **NOT ACCEPTED**.

Subsequently, on motion of Representative MOONEN of Portland, the Minority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-71)** on Bill "An Act to Protect Maine People from Inflation by Exempting Gold and Silver Coins and Bullion from the State Sales and Use Tax"

(S.P. 420) (L.D. 1051)

Signed:

Senators:

GROHOSKI of Hancock
LIBBY of Cumberland

Representatives:

PERRY of Bangor
CARMICHAEL of Greenbush
CROCKETT of Portland
LAVIGNE of Berwick
LIBBY of Auburn
QUINT of Hodgdon

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

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

HASENFUS of Readfield
MATLACK of St. George

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-71)**.

READ.

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

The same Representative **REQUESTED** a roll call on his 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 Bangor, Representative Perry.

Representative **PERRY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, just to give you a quick overview of this bill, this bill exempts gold and silver purchases from State sales tax. There's a segment of the population who want to invest in precious metals, gold and silver and the like, and there is a sales tax on those purchases here in the State of Maine. And so, this bill has about a million-dollar fiscal note, it would remove that sales tax. 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. 80

YEA - Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Carlow, Carmichael, Cluchey, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Eaton, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Milliken, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Perry J, Pluecker, Poirier, Polewarczyk, Pomerleau, Pringle, Quint, Rudnicki, Schmearsal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, Warren, White B, White J, Woodsome.

NAY - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Faulkingham, 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, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Salisbury, Sargent, Sayre, Shagoury, Sheehan, Skold, Stover, Supica, Terry, Williams, Worth, Zager, Madam Speaker.

ABSENT - Adams, Campbell, Galletta, Hall, Lajoie, Millett H, Sachs, Sampson, Shaw, Wood, Zeigler.

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

67 having voted in the affirmative and 72 voted in the negative, 1 vacancy with 11 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **NOT ACCEPTED**.

Representative **FAULKINGHAM** of Winter Harbor moved that the House **RECONSIDER** its action whereby the Majority **Ought to Pass as Amended** Report was **NOT ACCEPTED**.

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

Representative **FAULKINGHAM**: Madam Speaker, I regret that I didn't stand and speak before the vote but I thought that the Chair of the Committee moving the Majority Report of the Committee would be enough to basically keep my mouth shut, but; Madam Speaker, this process that we have here is a process of double-taxing that falls on mostly working-class people. This is a double-tax on investments in gold and silver. We do not double-tax stocks and bonds like this. If we're not putting the same burden on Wall Street, why would we put it on the common man, the common person, that's investing in currency? Gold and silver have, through almost all of human history, used gold and silver as currency. This is an investment that does not need to be taxed on both ends, when you purchase it and when you sell it. So, we shouldn't be holding gold and silver to a higher standard than we hold Wall Street stock traders. I hope that you will follow me in reconsidering this

motion and vote for the Majority Report as this already comes to us from the other Body with the Majority Ought to Pass Report. Thank you.

The SPEAKER: The Chair recognizes the Representative from St. George, Representative Matlack.

Representative **MATLACK**: Thank you, Madam Speaker. Madam Speaker, this is not double taxation, this is the taxation of a commodity that people purchase, the same as they purchase baseball cards or figurines or something like that. This, however, is gold and potentially has a greater value than the face value of the coin that's there, so that would be taxed. It also involves silver, which has tanked in value over the last several years so it may have less value than the face value of the coin. This is just for items being purchased as commodities or items that are being used to save for future but it's not double taxation, it's only taxed once. Thank you, Madam Speaker.

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

Representative **ANDREWS**: Thank you, Madam Speaker. These times, inflation is high and the dollar is low. People want to convert their money, their currency, into hard assets like gold and silver that have held their value in perpetuity. Gold is only going to go up. If people want to do that conversion, we should let them do it in our State. Voting against this is only driving people to do business in New Hampshire, which is not what we want, so, please vote Ought to Pass.

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

Representative **WHITE**: Thank you, Madam Speaker. I just want to point out, Madam Speaker, that this Body just voted that gold and silver is legal tender. Thank you.

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

Representative **LIBBY**: Thank you, Madam Speaker. I just want to correct a couple of things and get on the record regarding this bill. First is, this is a double tax because people are taxed first with sales tax when they purchase the gold and silver and then they are taxed again when they sell with capital gains. So, we're seeing gold and silver taxed as both a commodity and an investment, which is simply an over-taxation of Maine people.

I would point out that if this bill passes, and I hope that it does given the support we gave it in Committee, that we will be the 44th, I believe, State to pass this common-sense legislation. We are far behind as far as the other states in the Union go with passing this legislation and should join with the vast majority of other states that have already passed a bill to remove the sales tax. I would say this as well, when we're talking about the value, it's the value of the metal. And if we're looking at a coin, say, from the Roman Empire, that is not included in this bill. So, when a collectible is sold, that is categorized differently and that will still be taxed as far as the sales tax. So, the only thing we're talking about here is, as the Good Representative from Guilford pointed out, is that we are talking about taxing money.

And so, I would ask that folks follow our light that we become the 44th State to pass this common-sense legislation, we stop double-taxing Maine people and, of course, collectibles are not included and we'll still receive the sales tax to the State on those. Thank you. Please follow my light.

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

Representative **LANIGAN**: Thank you, Madam Speaker, and House Members. I just wanted to speak in favor of this motion. It really doesn't make sense that someone that is already taxed on their income that they use to buy this as a

safeguard or as an investment is then being taxed again and then being taxed again when they sell this in the capital gains form. We've all seen what's happened to our dollar as it's gone down and down over the past couple years through inflation and gold is somewhere where people can hedge their investment. By putting your money in the bank right now, if you put that same money in a year ago, it's worth less money today. With gold, it is a protection and it is a form of currency so, I just ask you all to follow my light and vote in favor of this bill and allow people to make choices when it comes to where they want to store their valuables and their assets. Thank you.

The SPEAKER: The Chair recognizes the Representative from Greenbush, Representative Carmichael.

Representative **CARMICHAEL**: Thank you, Madam Speaker. The Good Representative from Auburn kind of touched on what I wanted to point out, which is that any collectible coins will be taxed just as they always have, like baseball cards and any other collectible thing. It will still have the sales tax. It's just the monetary part that's actually money, commodity, that we remove the sales tax on.

The SPEAKER: The Chair recognizes the Representative from Readfield, Representative Hasenfus.

Representative **HASENFUS**: Thank you, Madam Speaker. We heard earlier that these are hard assets and I agree that these are hard assets. They are tangible assets and when I think of good policy, let's treat like things like like things. These are tangible assets and we tax tangible assets at the point of sale. Whether somebody chooses to use them for investment and their appreciation or whether someone chooses to use them. And that would remain consistent whether it's gold and silver or whether it's other tangible assets. And I think it's very clear that gold and silver are not currency, they are not liquid assets, and that we should treat them like we do other tangible assets. Thank you.

The SPEAKER: The Chair recognizes the Representative from St. George, Representative Matlack.

Representative **MATLACK**: Thank you, Madam Speaker. Madam Speaker, I wanted to ensure that this vote would be roll called.

The SPEAKER: The Chair needs a little clarity. Is the Member asking for a Roll Call?

Representative **MATLACK**: Yes, ma'am. I'm asking for a Roll Call.

The same Representative **REQUESTED** a roll call on the motion to **RECONSIDER** the House's action whereby the Majority **Ought to Pass as Amended Report was NOT ACCEPTED**.

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

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

Representative **GREENWOOD**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, our forefathers used this as currency. This was money. I'll use a modern-day analogy. This would be like going to the ATM and pulling your money and then having to pay sales tax on your money out of the ATM. That's the analogy here, Madam Speaker. Thank you.

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

Representative **ANDREWS**: Thank you, Madam Speaker, and for allowing me to rise again. I think at the end of the day, people in this State are taxed enough already. If they want to convert their currency into gold, we should cut them a break. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Reconsideration of the House's action whereby the Majority Ought to Pass as Amended Report was Not Accepted. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 81

YEA - Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Carlow, Carmichael, Cluchey, Collamore, Costain, Cray, Cyrway, Davis, Dill, Drinkwater, Ducharme, Dunphy, Eaton, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Haggan, Henderson, Hepler, Hymes, Jackson, Javner, Landry, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Milliken, Morris, Ness, Newman, Nutting, O'Connell, Parry, Paul, Perkins, Perry A, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Russell, Schmearsal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, Warren, White B, White J, Williams, Woodsome.

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

ABSENT - Adams, Campbell, Galletta, Hall, Lajoie, Millett H, Sachs, Sampson, Shaw, Wood, 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 House **RECONSIDERED** its action whereby the Majority **Ought to Pass as Amended Report was NOT ACCEPTED**.

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

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

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

ROLL CALL NO. 82

YEA - Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Carlow, Carmichael, Cluchey, Collamore, Costain, Cray, Cyrway, Davis, Dill, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Haggan, Henderson, Hepler, Hymes, Jackson, Javner, Landry, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Milliken, Morris, Ness, Newman, Nutting, O'Connell, Parry, Paul, Perkins, Perry A, Pluecker, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Schmearsal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, Warren, White B, White J, Williams, Woodsome.

NAY - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Collings, Copeland, Crafts, Craven, Dhalac, 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, Montell, Moonen, Moriarty, Murphy, O'Neil, Osher, Paulhus, Perry J, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte,

Russell, Salisbury, Sargent, Sayre, Shagoury, Sheehan, Skold, Stover, Supica, Terry, Worth, Zager, Madam Speaker.

ABSENT - Adams, Campbell, Crockett, Galletta, Hall, Lajoie, Millett H, Sachs, Sampson, Shaw, Wood, Zeigler.

Yes, 71; No, 67; Absent, 12; Vacant, 1; Excused, 0.

71 having voted in the affirmative and 67 voted in the negative, 1 vacancy with 12 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-71) was READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-71)** in concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act to Improve Visibility and Restore the Beauty of Maine's Roadways by Limiting Signs in the Public Right-of-way"

(S.P. 363) (L.D. 866)

Signed:

Senators:

CHIPMAN of Cumberland
FARRIN of Somerset

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-88)** on same Bill.

Signed:

Representative:

ANKELES of Brunswick

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

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 Brunswick, Representative Ankeles.

Representative **ANKELES**: Thank you, Madam Speaker, Members of the House. When I first stood before you, I made what I felt was a compelling case for tolerance. Well, Madam Speaker, that was then. Now that we have a sign bill before us, I ask you to think of the words of Emperor Palpatine when he told Luke Skywalker let the hate flow through you. Shortly after he said that, Madam Speaker, the interstellar Chief Executive unleashed blue force lightning from the tips of his fingers. What painful memory must he have held fast to in order to channel such power? Now, were he a real person, even just asking that motive-related question would be out of order but since he isn't, I will give you the answer. I'd like to think that he recalled enjoying a scenic drive in the countryside on his home planet of Naboo, only to realize with horror that it was within six weeks of

the general election for the Galactic Senate and various local offices and all he could see ahead of him were campaign signs. I'm convinced to this day that is what ultimately turned him to the dark side.

Madam Speaker, to accept the Ought Not to Pass Report today would be such a missed opportunity for Maine to reduce acts of litter and turn down the political temperature in the process. Yes, the Committee Report is lopsided, but this Body needs to know that a key perspective was missing from the public hearing process, and that is the perspective of the likely hundreds of thousands of our constituents who, upon seeing those first signs pop up each cycle, invoke a silent or maybe not-so-silent curse as they drive by. Madam Speaker, I hate to burst all of our bubbles here, but it's not far-fetched to think that people are sick of having our names and our opponents' names shoved in their faces not just before the election but well after the votes have been counted, as the weather batters a lonely sign supporting my seatmate from Old Town half-buried in a snowbank along the right of way. Rejecting this motion says I think a community should have to affirmatively opt in to the sign wars. It says that a content-neutral piece of legislation won't realistically cause harm to people promoting bean suppers, public events or roadside fruit stands and will survive constitutional scrutiny.

Madam Speaker, many years ago, we struck a blow for our State's appearance and the wellbeing of its people when we got rid of billboards. Now, today, we still have a chance, albeit a slim one, to do it once again by ridding ourselves of a scientifically ineffective campaign tool that, when not on private lawns, contributes only to our lack of landfill capacity. Again, this is a 12-1 report and it's already bad enough that I'm speaking to it, so, I won't attempt to subject this Body to a Roll Call unless this speech somehow leads to a Spartacus-style spontaneous uprising among my colleagues. So, I'll just close by asking you to understand that I feel about signs the way the Emperor felt as he made that fateful final speech from aboard the Death Star. Let's make our small corner of the galaxy just a little bit cleaner and just a little less rancorous. Thank you, Madam Speaker.

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

Representative **THORNE**: Thank you, Madam Speaker. I would pose a question to the Chair and if the Good Representative from Brunswick would like to answer it, that's fine.

The SPEAKER: The Member may proceed.

Representative **THORNE**: Thank you, Madam Speaker. I would ask if campaign signs are intrusive, how the Speaker feels about solar panels on public right of ways. Thank you, Madam Speaker.

The SPEAKER: The Member has posed a question to anyone who wishes to answer. The Chair recognizes the Representative from South Portland, Representative Kessler.

Representative **KESSLER**: Madam Speaker, I am not responding to the question. I would just like to say that I request a Roll Call because that floor speech was so good by the Representative from Brunswick. Thank you.

The same Representative **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

Representative **MADIGAN**: I apologize, Madam Speaker. I was also going to request a Roll Call because of the speech by the Good Representative from Brunswick.

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. 83

YEA - Albert, Andrews, Arata, Ardell, Arford, Babin, Bagshaw, Bell, Blier, Boyer, Boyle, Bradstreet, Brennan, Bridgeo, Carlow, Carmichael, Cloutier, Collamore, Copeland, Costain, Crafts, Craven, Cray, Crockett, Cyrway, Davis, Dill, Doudera, Drinkwater, Ducharme, Dunphy, Faulkingham, Fay, Foster, Gattine, Geiger, Gere, Gifford, Graham, Greenwood, Griffin, Guerrette, Haggan, Henderson, Hepler, Hobbs, Hymes, Jackson, Javner, Kuhn, Landry, LaRochelle, Lavigne, Lemelin, Libby, Lyman, Mason, Mastraccio, Matlack, Meyer, Millett R, Moonen, Moriarty, Morris, Murphy, Ness, Newman, Nutting, O'Connell, O'Neil, Parry, Paulhus, Perkins, Perry A, Perry J, Pluecker, Poirier, Polewarczyk, Pomerleau, Quint, Rielly, Riseman, Roberts, Rudnicki, Runte, Russell, Salisbury, Sargent, Sayre, Schmursal-Burgess, Shagoury, Sheehan, Skold, Smith, Soboleski, Stover, Strout, Swallow, Terry, Theriault, Thorne, Underwood, Walker, White B, White J, Williams, Worth, Madam Speaker.

NAY - Abdi, Ankeles, Cluchey, Collings, Dhalac, Dodge, Eaton, Fredericks, Golek, Gramlich, Hasenus, Jauch, Kessler, Lanigan, Lee, Lookner, Madigan, Malon, Mathieson, Milliken, Montell, Osher, Paul, Pringle, Rana, Reckitt, Roeder, Supica, Warren, Woodsome, Zager.

ABSENT - Adams, Campbell, Galletta, Hall, Lajoie, Millett H, Sachs, Sampson, Shaw, Wood, Zeigler.

Yes, 108; No, 31; Absent, 11; Vacant, 1; Excused, 0.

108 having voted in the affirmative and 31 voted in the negative, 1 vacancy with 11 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Increase Ballot Transparency with Blockchain Technology" (S.P. 439) (L.D. 1070)

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland
TIMBERLAKE of Androscoggin

Representatives:

SUPICA of Bangor
COLLINGS of Portland
HYMES of Waldo
MALON of Biddeford
MONTELL of Gardiner
RIELLY of Westbrook
RISEMAN of Harrison
RUDNICKI of Fairfield

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

Signed:

Representatives:

ANDREWS of Paris

BOYER of Poland

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

READ.

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

Six Members of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-80)** on Bill "An Act to Expedite the Health Insurance Referral Process for Specialists by Allowing Referrals from Urgent Care Facilities"

(S.P. 280) (L.D. 722)

Signed:

Senators:

BAILEY of York

RENY of Lincoln

Representatives:

PERRY of Calais

CLUCHEY of Bowdoinham

MATHIESON of Kittery

PRINGLE of Windham

Six Members of the same Committee report in Report "B" **Ought Not to Pass** on same Bill.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

CYRWAY of Albion

MASTRACCIO of Sanford

MORRIS of Turner

NUTTING of Oakland

SWALLOW of Houlton

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (S-81)** on same Bill.

Signed:

Representative:

ARFORD of Brunswick

Came from the Senate with Report "A" **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-80)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-80)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-80)** in concurrence.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-143)** on Bill "An Act to Facilitate Stakeholder Input Regarding Forest Policy in Maine"

(H.P. 628) (L.D. 993)

Signed:

Senators:

INGWERSEN of York

HICKMAN of Kennebec

Representatives:

PLUECKER of Warren

HEPLER of Woolwich

JAUCH of Topsham

OSHER of Orono

SHAW of Auburn

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

Signed:

Senator:

BLACK of Franklin

Representatives:

COSTAIN of Plymouth

CRAY of Palmyra

GUERRETTE of Caribou

HALL of Wilton

JACKSON of Oxford

READ.

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

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

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

The **SPEAKER**: The Chair recognizes the Representative from Warren, Representative Pluecker.

Representative **PLUECKER**: Thank you, Madam Speaker. This bill is a pretty simple one. It creates an advisory board to the Maine Forestry Service. A similar bill passed this Chamber in the last Session. We have made some changes to the bill to limit it in scope. It just applies at this point to the Forest Action Plan, which is a plan that the Maine Forest Service creates, anyway, every 10 years and this board will advise that process. Thank you very much.

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

Representative **UNDERWOOD**: Thank you, Madam Speaker. This State doesn't need any more G-D boards or commissions or anything of its nature. So, please --

The **SPEAKER**: The Member will defer. The Chair will remind Members to not use questionable language in the Chamber. The Member may proceed.

Representative **UNDERWOOD**: Thank you, Madam Speaker, and my apologies for using the language. But we don't need any more boards or commissions or; we got enough commissions and boards of this or that or advisory or non-advisory. Vote against the pending motion because, again, I say, we've had enough. Let the people make their decision. We're here to make decisions, not create a board and well, we'll kick the can down the road. Thank you, Madam Speaker.

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

ROLL CALL NO. 84

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

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

ABSENT - Adams, Campbell, Galletta, Hall, Hymes, Lajoie, Millett H, Sachs, Sampson, Shaw, Wood, Zeigler.

Yes, 80; No, 58; Absent, 12; Vacant, 1; Excused, 0.

80 having voted in the affirmative and 58 voted in the negative, 1 vacancy with 12 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-143)** 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-143)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act to Make It a Crime Not to Report a Death"

(H.P. 72) (L.D. 104)

Signed:

Senators:

BEEBE-CENTER of Knox
LaFOUNTAIN of Kennebec

Representatives:

SALISBURY of Westbrook
HASENFUS of Readfield
LOOKNER of Portland
MATHIESON of Kittery
MILLIKEN of Blue Hill
NEWMAN of Belgrade

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-140)** on same Bill.

Signed:

Senator:

HARRINGTON of York

Representatives:

ARDELL of Monticello
NUTTING of Oakland
PERKINS of Dover-Foxcroft

READ.

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act to Protect Officials and Participants at Sporting Events"

(H.P. 896) (L.D. 1401)

Signed:

Senators:

BEEBE-CENTER of Knox
HARRINGTON of York
LaFOUNTAIN of Kennebec

Representatives:

SALISBURY of Westbrook
ARDELL of Monticello
HASENFUS of Readfield
LOOKNER of Portland
MATHIESON of Kittery
MILLIKEN of Blue Hill
NUTTING of Oakland
PERKINS of Dover-Foxcroft

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-149)** on same Bill.

Signed:

Representative:

NEWMAN of Belgrade

READ.

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

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-153)** on Bill "An Act Regarding Special Education Funding for So-called Minimum Receiver School Administration Units"

(H.P. 95) (L.D. 154)

Signed:

Senators:

RAFFERTY of York
LIBBY of Cumberland
PIERCE of Cumberland

Representatives:

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

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

Signed:
Representatives:
 BAGSHAW of Windham
 POLEWARCZYK of Wiscasset

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-153)** 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-153)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-155)** on Bill "An Act to Create a Green Schools Coordinator in the Department of Education"

(H.P. 389) (L.D. 612)

Signed:
Senators:
 RAFFERTY of York
 PIERCE of Cumberland

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

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

Signed:
Senator:
 LIBBY of Cumberland
Representatives:
 BAGSHAW of Windham
 LYMAN of Livermore Falls
 POLEWARCZYK of Wiscasset
 SAMPSON of Alfred

READ.

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

Representative LYMAN of Livermore Falls **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 Dexter, Representative Foster.

Representative **FOSTER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I stand in opposition to the pending motion. This bill is actually unnecessary. The Department of Education, Office of Facilities and Construction currently looks at construction projects with an eye on energy, weatherization and certainly the opportunity for renewable

energy. Their fund for facility maintenance and rehab, the School Revolving Renovation Fund; they, likewise, take those things into consideration when looking to approve projects.

Some 15 years ago, I was on the Construction Committee for the new Ridge View Community School in Dexter, I was a member of the school board there, and we worked for the DOE, the architects, to design a building that had energy-efficient lighting, diffused lighting that decreased the amount of lighting necessary, energy-efficient windows, weatherization and HVA system, modern system for air quality and energy savings. And prior to final approval of our project, we worked with the DOE to approve, at their suggestion, the installation of biomass boiler, renewable energy. In the time that's passed, that fuel has saved untold amounts of number two heating oil through all of those measures. Again, more than 15 years ago. I have no doubt that today, the Department of Education, Office of Facilities and Construction is even more aware and takes these items into consideration when approving a new construction project or refurbishment of an existing facility. And I would suggest that the money for this position and a couple others that would be in the same arena should be spent to try to get the MEA scores for students in Maine back up to what they were 15 years ago. I ask that you follow my light.

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. 85

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

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

ABSENT - Adams, Campbell, Costain, Galletta, Graham, Guerrette, Hall, Jackson, Lajoie, Millett H, Sachs, Sampson, Shaw, Wood, Zeigler.

Yes, 78; No, 57; Absent, 15; Vacant, 1; Excused, 0.

78 having voted in the affirmative and 57 voted in the negative, 1 vacancy with 15 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE. Committee Amendment "A" (H-155)** 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-155)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-154)** on Bill "An Act to Implement Pilot Programs with Publicly Funded Day Care and Early Childhood Education"

(H.P. 453) (L.D. 684)

Signed:

Senators:

RAFFERTY of York
LIBBY of Cumberland
PIERCE of Cumberland

Representatives:

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

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

Signed:

Representatives:

BAGSHAW of Windham
POLEWARCZYK of Wiscasset
SAMPSON of Alfred

READ.

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

Representative LYMAN of Livermore Falls **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

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

ROLL CALL NO. 86

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

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

ABSENT - Adams, Campbell, Costain, Galletta, Guerrette, Hall, Jackson, Lajoie, Millett H, Sachs, Sampson, Shaw, Wood, Zeigler.

Yes, 81; No, 55; Absent, 14; Vacant, 1; Excused, 0.

81 having voted in the affirmative and 55 voted in the negative, 1 vacancy with 14 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-154)** 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-154)** and sent for concurrence.

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought Not to Pass** on Bill "An Act to Restrict the Daytime and Nighttime Killing of Coyotes"

(H.P. 503) (L.D. 814)

Signed:

Senators:

LaFOUNTAIN of Kennebec
BLACK of Franklin
CURRY of Waldo

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-147)** on same Bill.

Signed:

Representatives:

CLUCHEY of Bowdoinham
GOLEK of Harpswell

READ.

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

Majority Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought Not to Pass** on Bill "An Act to Prohibit Minimum Usage or Tank Rental Fees for Certain Propane Customers"

(H.P. 73) (L.D. 105)

Signed:

Senators:

CURRY of Waldo
GUERIN of Penobscot

Representatives:

COLLAMORE of Pittsfield
LANIGAN of Sanford
NESS of Fryeburg
SMITH of Palermo
WALKER of Naples
WHITE of Waterville

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-152)** on same Bill.

Signed:
Representatives:
ROBERTS of South Berwick
CROCKETT of Portland
LaROCHELLE of Augusta
SAYRE of Kennebunk

READ.

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

Majority Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-151)** on Bill "An Act to Support Community-based Volunteer Organizations" (H.P. 435) (L.D. 666)

Signed:
Senators:
CURRY of Waldo
RAFFERTY of York
Representatives:
ROBERTS of South Berwick
LaROCHELLE of Augusta
SAYRE of Kennebunk
WALKER of Naples
WHITE of Waterville

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

Signed:
Senator:
GUERIN of Penobscot
Representatives:
COLLAMORE of Pittsfield
LANIGAN of Sanford
NESS of Fryeburg
SMITH of Palermo

READ.

On motion of Representative ROBERTS of South Berwick, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-151)** 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-151)** and sent for concurrence.

Majority Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-157)** on Bill "An Act to Amend the Laws Governing the Foreign Credentialing and Skills Recognition Revolving Loan Program" (H.P. 741) (L.D. 1169)

Signed:
Senators:
CURRY of Waldo
GUERIN of Penobscot
RAFFERTY of York
Representatives:
ROBERTS of South Berwick
LaROCHELLE of Augusta
SAYRE of Kennebunk
WHITE of Waterville

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-158)** on same Bill.

Signed:
Representatives:
COLLAMORE of Pittsfield
LANIGAN of Sanford
NESS of Fryeburg
SMITH of Palermo
WALKER of Naples

READ.

Representative ROBERTS of South Berwick moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

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

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

Representative **LANIGAN**: Thank you, Madam Speaker, and Members of the House. This bill has come before our Committee and I just want to speak a little bit of firsthand experience. And I know I probably don't look the part and whatnot, but my wife, who immigrated here from Columbia, just became a United States citizen a couple years ago. Discussing this bill with her and at the dinner table and also with a lot of friends in our community, we find that this bill is not doing what it's meant to do. When immigrants come to our country, or migrants come here and they want to be Americans like the rest of us, they want to earn it. And, unfortunately, what this bill here is it's a handout that's unnecessary, Madam Speaker. It's not being promoted the right way by the people on the ground because they feel that it is something that is not wanted by the community.

I can tell you, I have a story of Sokon; we were talking about Cambodia today and his name is Sokon Kerr. He's the father of my best friend, Sylvie, and also a coworker of mine. He was telling me the story of how he repaid his plane ticket when he came to the United States. It cost him \$714. And to this day, he is so proud of that. Yes, he needed some help to get here, yes, he needed that hand up, but there's nothing more that made him proud that when he was able to start working and start providing for his family that he was able to repay that and feel that he is earning his keep, earning his way here in the United States. There's many other stories like that and by creating this

program, taking it from a loan program to a grant program, it is literally just a handout with very little attached to it. We did make some amendments to this bill and some of those were raising the rates of it and also giving the individual the opportunity after six months of employment to be able to start paying it back. Maybe there was the loophole that was missing that when you presented it, they just didn't know when they would be able to start working, when they would be able to start providing for their families.

I think we know as a State that we have a huge problem here that we just don't have a grasp on, is our immigrant population. And I really feel this is a loose band-aid that is unnecessary at the time. I think most on the Committee would like to see the amount being able to be loaned out be increased but remaining as a loan and not a grant. At this time, I just would ask people to vote Ought Not to Pass, a vote against this, and look at our Amendment "B" on this. I don't know if I'm asking that the correct way but we need to remember that it might feel good for us to do something like this but it's not actually what is necessary or is what is wanted by the community. And so, I just encourage people to follow my light and vote against this motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from South Berwick, Representative Roberts.

Representative **ROBERTS**: Thank you, Madam Speaker. Madam Speaker, I rise in support of the pending motion. In the 129th Legislature, the Foreign Credentialing and Skills Recognition Revolving Loan Program was put into Statute and funded on a biennial basis. This bill is not a new program. This program is designed to provide assistance to eligible immigrants living in Maine who are not yet eligible to work in the United States. The funds are only distributed for certain allowable expenses related to obtaining their work permits. This includes, but is not limited to, driver education courses, application fees, English language access, testing for an education, credential translations and so on. To date, there has only been one loan disbursed through this program, which signified that a policy change was in order. The bill as amended by Committee Amendment "A" seeks to turn that loan program into a grant program. Instead, it increases the amount allowable per applicant from \$700 to 1000. There is no new fiscal allocation to this bill as amended and it is currently funded and has a decent balance in the fund that cannot be used for anything else.

Madam Speaker, I'm sure you can understand that as new Mainers are not yet eligible to work under the federal laws, signing up for a loan requiring payback in order to get to work would be a deterrent, not knowing when that loan would be able to be paid back. By changing this program to a grant program, we are able to provide financial solutions to help our new Mainers get the credentials they need to enter the workforce. Madam Speaker, I know that if I was concerned about supporting our new Mainers and both assisting them and entering the workforce and helping to contribute to our workforce shortage, that it would be irresponsible of me not to vote for the bill as amended by Committee Amendment "A". I ask for your support of the pending motion.

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

Representative **COLLAMORE**: Thank you, Madam Speaker. Madam Speaker, I rise today in opposition of the pending motion. This program is an existing program. It does not increase in a fiscal note, it's already allocated funds. And they do have money available that they cannot use. But the reason they can't use it for anything else is because it's direct funding for this program, but the people on the ground talking

with these new Mainers, who we want working in our State and contributing to our economy, are not being told about the program. We heard multiple testimonies from these organizations helping new Mainers saying that they refused to share the information with the new Mainers. That is the problem. Committee Amendment "A" changes the loan program to a grant program and these institutions did say that they would talk about it if it was a grant. But what we wanted to do was solve this problem; first of all, it wasn't enough money to help these new Mainers. Even the foreign credentialing translation part of this isn't covered by the amount of money that was there. So, in Committee Amendment "B" we increased that amount, kept it as a loan, and allowed six months after they started working to be responsible and not require them to start paying it back in 60 days as is currently written, so that they have the ability to gain some of that income back before they have to start repaying for the loan amount. I urge you to please follow my light in opposition of this motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Kennebunk, Representative Sayre.

Representative **SAYRE**: Thank you, Madam Speaker. And I thank the speakers who have addressed this issue already. You can see we have a robust Committee in the IDEA Committee. I want to add a couple of points to what we have heard. One is that not every immigrant's story is the same, not every immigrant's motivations are the same, and there are those who come here having suffered trauma and having very strong reasons to distrust government. I think distrust of government is something that many people in this Body can relate to. Because of that distrust, we heard from new Mainers themselves who are advocates for new Mainers that there is a strong bias against taking out a loan from the government if one has no ability to repay. And that is why this loan program that has existed has had virtually no use. And that is why we are changing it to a grant program. The point here is to speed the path to employment, speed the path to taxpaying status for new Mainers, which is something that I think we can all support and I encourage you to follow my light.

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

Representative **LANIGAN**: Thank you for allowing me to stand again, Madam Speaker, and address this Body. I do want to say; I think the big problem with going from a grant program to a loan program was our messaging and it wasn't our immigrant population that was choosing not to know about the program, it was those that had the information not sharing it. Even with this going to a grant, there's no obvious avenue to share this information. There's no coordinated effort by the State, there's no coordinated effort by our federal government. Our immigration system right now is so convoluted and broken that all we're doing is throwing imaginary solutions to a huge, realistic problem. And I urge you to vote against this amendment because it's not a solution. And, yes, there is money already there but once we use this money in a grant program and we don't replenish it, then it's not there for future immigrants and future generations. And the reason it was set up originally as a loan, is it could be repaid and then another immigrant coming down the road could be able to access this. What I'm afraid of is by turning into a grant program from a loan is once those funds are dried up, there's not going to be a well for people to go to get access to this. By keeping this as a loan, what it does is it creates buy-in from both sides of the fence, both sides of the issue, so, we all are invested in this and it's not just a one-sided investment.

And I just encourage you to really think about this and understand that we're talking about \$1,000. To become a United States citizen, even to the naturalization spot, I've spent over \$15,000. Over \$15,000 and that's with zero attorneys. That's with my wife learning the legal documents and going through that. So, this \$1,000 isn't really even going to put a dent in what they actually need for success and that; maybe more my message, Madam Speaker, is that we need to stop kicking this immigration can down the road. We need to ask the federal government to stand up and we need to stand up as a State, as a whole Body, and actually tackle this and actually come up with real solutions so they feel like they belong part of our community because not only do they want to be but we need them to be. So, thank you so much, Madam Speaker, and I do encourage you to vote against this pending motion. Thank you.

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

Representative **QUINT**: Thank you, Madam Speaker. My concern with this echoes what Representative Lanigan just stated but also, I have concerns when we're looking at the benefits of a loan program and turning it into a grant, that we're giving a grant to people coming into our State that we do not give to the citizens of our State that are already here. I think there's a great disparity with that in picking and choosing winners and so, I will be voting against this motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Cloutier.

Representative **CLOUTIER**: Thank you, Madam Speaker. I just want to clarify some things that I've heard on the floor today that are actually not accurate. One is that outreach by organizations has not happened. That is because the organizations who came to the public hearing stated that they could not responsibly advertise this program to immigrants and asylum seekers knowing that they had no means by which to repay it. So, we also had those same organizations come forward and say that they would do outreach were it transitioned to a grant program because the people would not need the means to repay it. And so, not having a job, which the federal government prevents a lot of these folks from having, was not going to be an impediment from using these funds. Secondly, completely agree that we need to figure out long-term solutions to immigration. We also need to support the folks that are currently living in our State and want to work and how they can transition their credentials so that they are able to get those jobs and make use of education and experience that they already have. And there was one more point that I can't remember right now, so, 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 by Committee Amendment "A" Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 87

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

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

ABSENT - Adams, Campbell, Costain, Galletta, Guerrette, Hall, Jackson, Lajoie, Millett H, Sachs, Sampson, Shaw, Wood, Zeigler.

Yes, 79; No, 57; Absent, 14; Vacant, 1; Excused, 0.

79 having voted in the affirmative and 57 voted in the negative, 1 vacancy with 14 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-157)** 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-157)** and sent for concurrence.

Majority Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-156)** on Bill "An Act to Amend the Social Work Education Loan Repayment Program"

(H.P. 409) (L.D. 632)

Signed:

Senators:

CURRY of Waldo
RAFFERTY of York

Representatives:

ROBERTS of South Berwick
COLLAMORE of Pittsfield
CROCKETT of Portland
LANIGAN of Sanford
LaROCHELLE of Augusta
SAYRE of Kennebunk
WHITE of Waterville

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

NESS of Fryeburg
SMITH of Palermo
WALKER of Naples

READ.

On motion of Representative ROBERTS of South Berwick, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-156)** 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-156)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Resolve, to Study the Impact of Divorce, Child Support Issues and Custody Issues on Children, Parents, Health, Poverty and Housing Insecurity (H.P. 660) (L.D. 1024)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-164)** on same Resolve.

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
POIRIER of Skowhegan

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

READ.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-161)** on Bill "An Act to Implement the Recommendations of the Right To Know Advisory Committee Concerning Time Estimates for Responding to Public Records Requests" (H.P. 768) (L.D. 1208)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York
BRAKEY of Androscoggin

Representatives:

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

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

Signed:

Representative:

ANDREWS of Paris

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-161)** Report.

READ.

On motion of Representative MOONEN of Portland, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**. The Bill was **READ ONCE**. **Committee Amendment "A" (H-161)** 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-161)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act to Develop a Pilot Program to Provide Legal Representation to Families in the Child Protection System" (H.P. 788) (L.D. 1240)

Signed:

Senators:

CARNEY of Cumberland
BRAKEY of Androscoggin

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-163)** on same Bill.

Signed:

Senator:

BAILEY of York

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

READ.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-162)** on Bill "An Act to Implement the Recommendations of the Right To Know Advisory Committee Concerning Records of Disciplinary Actions Against Public Employees"
(H.P. 892) (L.D. 1397)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York
BRAKEY of Androscoggin

Representatives:

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

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

Signed:

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
POIRIER of Skowhegan

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-162)** Report.

READ.

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

Representative POIRIER of Skowhegan **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 Skowhegan, Representative Poirier.

Representative **POIRIER**: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, as amended, this bill targets State and county employees. It requires employers to keep detailed records of any final written decision imposing discipline in addition to other facts, disciplinary actions and conclusions as to the reason of that action. Jeff McCabe, representing SEIU Local 1989, testified that creating this quasi-permanent disciplinary record will affect collective bargaining agreements and would pose a significant impact on labor relations. He further added that one in six positions in Maine State Government are currently vacant and this legislation will exacerbate current workloads. We should all stand with our union brothers and sisters. The Maine Association of Police cited chilling concerns that this bill would have on the public sector that is already in crisis. Let me be clear, Madam Speaker, this bill was brought forward under the guise of transparency because reporters wanted more detailed information about police officers. I believe that the vast majority of law enforcement are good. They're protectors and our peacekeepers. I will not support legislation looking to vilify them. Please support our State employees and our law enforcement officers and oppose the pending motion.

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

Representative **MOONEN**: Thank you, Madam Speaker. Madam Speaker and Members of the House, my friend from Skowhegan was speaking about the original bill, from my perspective. The State Employees Union and other unions did have problems with the original bill. They did not have problems with what is in the amended bill that is before us. There are three Statutes dealing with disciplinary records; one for State employees, one for county employees, and one for municipal employees. The municipal employee Statute under current law says that if a disciplinary action is going to be taken against an employee, the final disciplinary action must be documented in a letter that explains the reasons for why that discipline was taken. That is fair to the employee because they have a right to know why they are being disciplined. It is also fair to the public, who has a right to know what public employees are up to in their professional capacities. The only thing that this amendment does is take that same language from the municipal employee Statute and make it consistent in the county employee Statute and the State employee Statute so that they all have the exact same language and all treat the employees' and the public's right to know the same. I want to reiterate that the State Employees Union is fine with this amendment. I can show you the text message if you'd like to see it from Jeff McCabe. 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 have a concern when you talk about everybody being treated the same. When you're in law enforcement, you are not the same. You're responsible for your family and for other people that you're working with and whatever and so, sometimes disciplinary actions may reflect and cause harm to other people because of your line of duty. So, I just want to be cautious about making everybody the same. So, I just wanted to bring that up, thank you, Madam Speaker, before you make this vote.

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. 88

YEA - Abdi, Ankeles, Arford, Bell, Boyer, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Henderson, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, 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, Salisbury, Sargent, Sayre, Shagoury, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Madam Speaker.

NAY - Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Bradstreet, Carlow, Carmichael, Collamore, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Haggan, Hymes, Javner, Lavigne, Lemelin, Lyman, Morris, Ness, Newman, Nutting, Parry, Paul, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Schmersal-Burgess, Smith, Soboleski, Strout, Theriault, Thorne, Underwood, Walker, White J, Woodsome.

ABSENT - Adams, Campbell, Costain, Galletta, Guerrette, Hall, Jackson, Lajoie, Mason, Millett H, Perkins, Riseman, Sachs, Sampson, Shaw, Swallow, Wood, Zeigler.

Yes, 82; No, 50; Absent, 18; Vacant, 1; Excused, 0.

82 having voted in the affirmative and 50 voted in the negative, 1 vacancy with 18 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-162)** 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-162)** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act to Phase Out the Income Tax"

(H.P. 524) (L.D. 835)

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-142)** 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 BOYER of Poland **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

Representative **BOYER**: Thank you, Madam Speaker. Madam Speaker, my bill would phase out the income tax over five years. It would reduce the income tax while cutting spending proportionally. Each State department would be tasked with finding savings and reducing spending. The proposed budget from the Chief Executive raises spending; well, rather, the passed budget; roughly 20% from the last one two years ago and I suspect next Session it will be another \$2 billion. To say that Maine can't afford to reduce taxes simply does not pass the straight face test. This State has seen record surpluses since the pandemic. One reason is the injection of federal funds

from the pandemic, the other is because of increased tax revenue due to higher consumer prices and rising income. Well, this paints a rosy picture for the State but that's not the case. Inflation is driving up the cost of everything; labor, energy, housing, consumer goods. So, while wages are higher, so are costs. And call me pessimistic, Madam Speaker, but I don't think the cost of housing or energy is going down any time soon, no matter what we pass out of this Legislature. Therefore, I think it's incumbent on us to let Mainers keep more of what they earn so they can pay these crazy prices. But, wait, there's more. There are other benefits to eliminating the income tax for Maine. It will incentivize businesses to call Maine home and broaden our tax base. New Hampshire has no income tax, no sales tax, and so, doing business in Maine costs businesses more. These businesses still do business in Maine but New Hampshire receives the economic benefits of hosting them. We need to do more to attract businesses to Maine and help our residents. Now, I voted for the heating relief bill but, frankly, no business is going to settle in Maine because we send out relief checks to our citizens every six to eight months. We need long-term economic solutions, Madam Speaker. Now is the time for real tax relief, so, I would urge everyone to follow my light. Thank you.

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, when you serve on Tax, you get a lot of bills like this over the years, every year. Multi-billion-dollar fiscal notes. The income tax represents about half of the revenue for our budget. This debate will last longer than the work session on this bill. Serious bills to accomplish big things require work and require people to know what they're voting for, what the budget would look like if half of it was gone. What it would mean to your property taxes, what it would mean to what we're supporting here at the State level. So, any effort that attempts to really make a major change shares that information so people know what they're voting on. This bill is not realistic to be funded, right? Billions of dollars in the fiscal note. So, we can vote for it, send it to the table, I suppose, but I think at this hour of the day, with Committee rooms full of people waiting for us, we ought to just dispense with it right here, right now. Thank you.

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

Representative **ANDREWS**: Thank you, Madam Speaker. In simple terms, taxation is theft. If inflation is the most pernicious tax, then the income tax is the most immoral. We should get rid of it. Please follow my light.

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

Representative **CYRWAY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I just wanted to stand up. I was talking to a gentleman yesterday and he said that for the last four or five years, he's had to pay in quarterly just to keep up from having to pay a big end-pay for the income tax. And I find myself doing the same thing. I have to pay quarterly in order so that it comes out fairly even, and I think many of us have, since the conformity bill that was passed about four or five years ago. And I think what's happened is there's a lot of write-offs that we can't do anymore, they raised that up quite a bit and I think when you talk about income tax, we have not really done justice to the regular taxpayer. I think it is time to start looking at reducing our income tax and because we are being overtaxed and it's showing up. Every time you say oh, gee, we're getting a lot more tax that's coming in, Madam Speaker, and where's

that all coming from when they're not working? The jobs, you go everywhere and nobody's working. So, it just doesn't make sense. We're getting more tax in but nobody's earning money but yet somebody's paying the tax and I know where it's coming from; it's coming from the people being overtaxed. So, I think we really need to look at this again. Thank you, Madam Speaker. This should be voted down.

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. 89

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

NAY - Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Collamore, Cray, Cyrway, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Haggan, Henderson, Hymes, Javner, Lavigne, Lemelin, Libby, Lyman, Mason, Morris, Ness, Newman, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Schmursal-Burgess, Smith, Soboleski, Strout, Swallow, Thorne, Underwood, Walker, White J, Woodsome.

ABSENT - Adams, Campbell, Costain, Galletta, Guerrette, Hall, Jackson, Lajoie, Millett H, Riseman, Sachs, Sampson, Shaw, Wood, Zeigler.

Yes, 85; No, 50; Absent, 15; Vacant, 1; Excused, 0.

85 having voted in the affirmative and 50 voted in the negative, 1 vacancy with 15 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

**CONSENT CALENDAR
First Day**

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

(S.P. 268) (L.D. 651) Bill "An Act to Amend the Standards for Manufactured Housing to Comply with United States Department of Housing and Urban Development Standards" Committee on **LABOR AND HOUSING** reporting **Ought to Pass**

(S.P. 515) (L.D. 1278) Bill "An Act to Require Timely Payment for Salaried Employees" Committee on **LABOR AND HOUSING** reporting **Ought to Pass**

(S.P. 563) (L.D. 1396) Bill "An Act to Clarify the Laws Regarding Delegating Authority for Services Performed by Emergency Medical Services Personnel or Others as a Medical Assistant" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass**

(S.P. 709) (L.D. 1762) Bill "An Act to Require the Bureau of Labor Standards to Create and Distribute in Workplaces a Veterans' Benefits and Services Poster" Committee on **LABOR AND HOUSING** reporting **Ought to Pass**

(S.P. 158) (L.D. 351) Bill "An Act to Increase Access to Birth Control by Making Certain Contraception Available over the Counter" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-82)**

(S.P. 396) (L.D. 925) Bill "An Act to Allow the Baileyville Utilities District to Disconnect Water Service for a Customer's Failure to Pay for Sewer Service Provided by the Town of Baileyville" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-79)**

(S.P. 537) (L.D. 1318) Resolve, Directing the Maine Technology Institute to Review Targeted Technology Sectors and Industry Clusters Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-77)**

(H.P. 360) (L.D. 555) Bill "An Act to Increase the Number of Mature Plants Allowed for the Home Cultivation of Cannabis" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass**

(H.P. 1040) (L.D. 1615) Bill "An Act Regarding Limits on Medication in Vending Machines" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass**

(H.P. 8) (L.D. 4) Bill "An Act to Update Provisions of the Department of Corrections Laws Regarding Operation and Administration of Jails, Women's Services and Juvenile Detention" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-141)**

(H.P. 128) (L.D. 207) Bill "An Act to Transfer Responsibility for Administering the Maine Uniform Building and Energy Code from the Department of Public Safety, Office of the State Fire Marshal to the Department of Professional and Financial Regulation" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-150)**

(H.P. 169) (L.D. 264) Bill "An Act to Clarify the Process for Admission to the Bar on Motion" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-160)**

(H.P. 336) (L.D. 531) Bill "An Act to Add Gray Squirrels to the Species List for the Open Training Season for Hunting Dogs" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-146)**

(H.P. 486) (L.D. 797) Resolve, to Authorize the Conveyance of Real Property to the Capitol Area Recreation Association Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-144)**

(H.P. 520) (L.D. 831) Bill "An Act Regarding Low Success Rates for Moose Hunting" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-148)**

(H.P. 833) (L.D. 1308) Bill "An Act to Establish Municipal Cost Components for Unorganized Territory Services to Be Rendered in Fiscal Year 2023-24" (EMERGENCY) Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-159)**

(H.P. 1068) (L.D. 1670) Bill "An Act to Strengthen Maine's Agriculture, Food and Forest Economy by Funding the Maine Agriculture, Food and Forest Products Investment Fund and Amending Related Provisions of Law" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-145)**

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

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

ENACTORS

Emergency Measure

An Act to Support Lead Abatement in Older Residential Properties

(H.P. 287) (L.D. 470)
(C. "A" H-100)

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. 99 voted in favor of the same and 30 against, and accordingly the Bill **FAILED PASSAGE TO BE ENACTED** and was sent to the Senate.

Acts

An Act to Ensure Accountability for Workplace Sexual Harassment and Sexual Assault by Removing Certain Intentional Torts from Workers' Compensation Exemptions

(H.P. 28) (L.D. 53)
(C. "A" H-110)

An Act to Make Maine Schools Safer and Healthier by Increasing the Maximum Debt Service Limit

(H.P. 178) (L.D. 280)
(C. "A" H-109)

An Act to Require That Insurance Companies Notify Insured Persons over 65 Years of Age Regarding Coordination of Benefits with Medicare Part B

(H.P. 206) (L.D. 308)
(C. "A" H-108)

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)

An Act to Prohibit the Use of Personal Watercraft on Keyes Pond in the Town of Sweden

(H.P. 314) (L.D. 497)
(C. "A" H-99)

An Act to Require That Motor Vehicles Be Clear of Snow and Ice When Operated on Public Ways

(H.P. 327) (L.D. 522)
(C. "A" H-106)

An Act to Allow the Reinstatement of Certain Commercial Driver's Licenses

(S.P. 269) (L.D. 652)
(C. "A" S-70)

An Act to Place Restrictions on Candidate Speech and Clothing, Buttons and Other Items at Voting Places

(S.P. 376) (L.D. 879)
(C. "A" S-74)

An Act to Allow the Disclosure of Death Certificate Data to Hospitals and Health Care Practitioners

(S.P. 401) (L.D. 982)
(C. "A" S-66)

An Act to Fund Consultation Services to Ensure Affordable Health Care for Maine Residents and to Provide Targeted Outreach to Ensure Affordable Health Care for Maine Farmers

(S.P. 446) (L.D. 1077)
(C. "A" S-76)

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

Resolves

Resolve, Directing the Bureau of Alcoholic Beverages and Lottery Operations to Study Paying Bonuses to Agents for Selling Certain Winning Lottery Tickets

(S.P. 459) (L.D. 1125)
(C. "A" S-69)

Resolve, to Convene a Driver Education Working Group to Evaluate Hardships to Underserved Populations and Low-income Families

(H.P. 760) (L.D. 1200)
(C. "A" H-105)

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

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Tuesday, May 16, 2023, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE DIVIDED REPORT - Majority (11) **Ought Not to Pass** - Minority (1) **Ought to Pass as Amended by Committee Amendment "A" (H-52)** - Committee on **TRANSPORTATION** on Bill "An Act to Protect Vehicle Buyers by Limiting Vehicle Document Preparation Fees"

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

TABLED - April 25, 2023 (Till Later Today) by Representative TERRY of Gorham.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

Representative WILLIAMS of Bar Harbor moved that the House **ACCEPT** the Minority **Ought to Pass as Amended Report.**

Representative PARRY of Arundel **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **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 Verona Island, Representative Russell.

Representative **RUSSELL**: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, I would like to speak in opposition to the amended bill and I will try to do this quickly as I know we all have Committee hearings on the way. I just wanted to offer a little perspective. In 1976, I went to work at a very small Honda automobile dealership owned by the Darlings family. There were 14 of us and I stayed with the company over the next 42 years. The company has

grown in size to be very diversified but the auto part of its business is still significant. There are now 600 employees. Along the way, when I first started, it was a pretty simple thing to sell a car. There were a couple pieces of paper, it worked sort of like everything else. But as the years went by, the auto business also in its manufacture of its cars is highly regulated, and then the process became regulated. And I never was really in disagreement with any of that regulation. And it involved lots of documents and requirements to set aside and keep those safe and confidential. Along the way, we also became the agent to finance cars. So, I think of it sort of like now many people are sort of dissatisfied when they go to buy their new car and the process takes a long time. It takes a long time because there's a lot of regulation involved and documents that have come into the process, much like buying a house. Those two items, automobiles and your home, are two of the biggest purchases that you ever make, so, they should be protected. But in business, it takes eventually people and lots of time to faithfully honor those regulations. And, ironically, the first documentation fee we ever had in the Darlings organization was \$75. This bill seeks to roll that back to that amount.

I certainly know that fees are a part of our world, in many businesses, and possibly we should look at that overall. But I think in this particular case, I know how that company works and most of the other major dealers, I know there are very few small dealers anymore and part of the reason is they just cannot afford and keep up with the personnel to do this transaction properly. So, I would press upon everybody that I know the business I was in operated under three principles; to take care of the customers we had, to take care of the employees we had and to contribute to the communities that we served. So, I think that rolling back one particular industry would not be what this Body really should do. It's a legitimate cost in a business that I think needs to be done. Should it have limitations? Maybe. But I don't think at this juncture, unless we're going to go undo the banking process to buy a house, I think you've all sat through that process, I think you've all paid those fees. This seems like it's narrowed to one particular industry. So, I would urge you vote Ought Not to Pass. Thank you.

The SPEAKER: The Chair recognizes the Representative from Arundel, Representative Parry.

Representative **PARRY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I've served six terms on Transportation, four as the Republican lead. But I believe this is the first time in my six terms that I thought I would have to get up and speak on an 11-1 report. I'm somebody that really believes in the Committee process. I believe it's very important. We are not able to get to every Committee, hear every person testifying, and I couldn't agree more with my good friend from Verona Island, I think, you know, this was something that the Committee looked at. The interesting part was, no surprise, a couple of the people that testified in opposition to the bill were car dealers. The funny part was one was in favor, one wanted to keep it because they charged it, it's part of their business and how they pay for things. The other was, I believe, Central Maine Motors out of Waterville, who doesn't charge the doc fee. And that's their marketing tool, they use that money as their marketing. But everybody knows when they go into a car dealership if it's charged or not, they know right up front that that's part of the buying process. I know I've gone several times and at the end they said yeah, and this doc fee is \$400 or whatever the amount. And I said well, I'm not buying it if you keep that \$400 in there, and they've taken \$400 off the price. So, it's also something that can be negotiated. If they charge it, they have to charge it to everybody, but you can negotiate off

your other price. So, I think it's important that we, you know, allow businesses to be able to do this and, as I said, as an 11-1 report; and, as I said, this is probably my first time that I've ever got up and spoken because I had to speak an 11-1 report out of Transportation. Could the Clerk please read the Committee Report?

The same Representative **REQUESTED** that the Clerk **READ** the Committee Report.

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

The SPEAKER: The Chair recognizes the Representative from Brunswick, Representative Ankeles.

Representative **ANKELES**: Thank you, Madam Speaker, Members of the House. Yes, we find ourselves in an unusual parliamentary moment here, and if you had asked me when I was on the other side of the glass if I would ever rise on the short end of an 11-1 report, I would've been horrified by the very question. And yet this is the second time this has happened today, so, life comes at you fast.

The reason I came to disagree, respectfully, with my good Transportation colleagues on this bill is because the more I looked at this issue, the more I understood it to be a matter of both consumer protection and of fairness. There are lots of opinions about our country's free market system but one of its greatest strengths is the way it tends to favor consistency when it comes to pricing. With the vast majority of products we buy, the price you see is what you pay. And even if there's a discount, its terms are usually displayed right there on the price tag or nearby. We plan our whole lives around this expectation of a clear and consistent purchasing process. So, with all due respect to Downeast dickering and flea markets and medieval bazaars, it's a very good thing that we aren't made to haggle over essential products. I think we can agree that for the vast majority of Mainer's, a vehicle is an essential product, maybe the essential product. You've got to go to work, you've got to get to the store, you've got to ferry around your kids, you've got to take your mother-in-law to that doctor's appointment, you've got to make a Dunkin' run. And yet, if there's any product where we need more consistency in the purchasing process, it's a car.

Document filing fees are just one of the many pitfalls that can trip up someone trying to buy a car. There is no standard to them, they don't typically reflect the actual cost of filing, as the bill sponsor has said, and some dealers even use these fees or their absence as a marketing tool. Sure, you can negotiate the filing fee down or out of the picture entirely, but that's exactly the problem. Maine has all kinds of people with different levels of knowledge and skill around car buying and different tolerances for confrontation and saying no. If you don't say the magic words, perform the right technique or look intimidating enough during the car buying process, you can and often do pay a higher price. That's just the reality. There's some movement away from that thanks to online sales but not everybody can go that route. It's not enough to say to me that oh, the dealers need this because this is how they recoup their profits or to tell me that their profit margin is thin. Nothing about those arguments provide a reason why different people should continue to pay different prices for the same product. States of all political stripes have made this change and it's my understanding that there are still car dealerships in those states. I think this is a fairly modest ask we would be making and that it is the right thing to do for our constituents. Thank you, Madam Speaker.

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

Representative **LANIGAN**: Thank you, Madam Speaker. I rise today Ought Not to Pass and one of the reasons is; and I might like to pose a question through the Chair for the

Representative. Is this in reaction to price gouging or is this a reaction to price fairness? And when we talk about surprises, I can tell you I have more constituents sticker-shocked when they go to register their car at the BMV and they have to pay that extraordinary amount of excise tax. And so, I really am just curious on this \$400 fee or \$500 fee, if it's a price gouging thing or an actual problem that we're seeing, so, if that could be answered. So, thank you.

The SPEAKER: The Member has posed a question through the Chair to anyone who wishes to answer. The Chair recognizes the Representative from Milford, Representative Drinkwater.

Representative **DRINKWATER**: Thank you, Madam Speaker. Having grown up in the automobile business, in 1975 when the State of Maine introduced titles at \$10 a title, things started to change. Then, we had to start putting window stickers on cars. Again, at more cost to the dealers. And then as time went on, more and more regulations came, more and more audits came. We had to start charging a documentation fee, which was \$50. As time went on, more audits, more regulations, we upped ours to \$100. It just covered our costs, is what it did. We had to agree to all kinds of regulations and then computers come along and we had to buy software and the internet and more and more expenses. And, by the way, the doc fee, as Central Maine Motors is known as the home of no doc fees, you know, it's a competitive edge. People can shop, people can decide where to buy. That's how the free market works.

Also, I would like to remind everybody how much money the sales tax on a doc fee brings into the State of Maine. I would encourage everybody to look that up. It's at least a million dollars a year, which helps fund our different programs that we have, and I may not agree with the amount a lot of the new car dealers charge, but people can shop. People can ask for a discount. It's part of a free market, which I'm standing here representing, it's paid for my life and my lifestyle, and I think we ought to leave it as the way it is and I would agree with my good friend from Verona Island, Representative Russell. Let's let the free market work and take care of itself. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Madison, Representative Ducharme.

Representative **DUCHARME**: Thank you, Madam Speaker. I just have a real quick note on this. Today we're talking about protecting vehicle buyers. Perhaps in the next session, we might have a bill to protect Dunkin' Donuts coffee drinkers because in the Madison Dunkin' Donuts, I don't get a senior citizen discount and in the Augusta one, I do. So, perhaps next year, we'll put in a bill to make all do the same thing. I mean, this is the ludicrous; I just don't believe it.

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

Representative **RUDNICKI**: Thank you, Madam Speaker. For those of you that don't know, I've been in the used car business for 30 years. I ran one of my family's business for 20 years and I've owned my own business for 10 years. And let me tell you, it's not cheap. You can't just get into the used car business. There's a lot of fees, a lot of insurance that is annual. The one that burns me more than anything is that I have to pay for my own audit from Consumer Protection. Like a previous speaker said, it's about consumer protection and everything. Well, I get audited every two years by Consumer Protection and I have to write the check out for the bill. And it runs me anywhere from \$500 to \$1,000 to do that.

So, having these kind of fees; and I charge a \$50 doc fee on mine; I have to pay for temporary plates that I put on the cars,

I have to pay for the paperwork that goes in the window that actually has to say how much my documentation fee is. So, it is recorded, it is there. It is not something that's hidden. Most people know it, that you have to do it, and it's on the window in used cars as well as new cars. It's nothing that's hidden, you can choose to go elsewhere if that is a fee you don't like. This is the free market. It's my choice what I want to charge. If I can't charge the \$50 doc fee, I'll jack my prices. I'm not the only one that's going to do that, which means more and more people are going to be unable to afford different things because, hey, if I've got to jack my price, I'm not going up \$50, I'm going up \$100. It's a lot easier to work with. And we have to pay sales tax on those doc fees. So, those are the things that you have to take into consideration when you go through this. It's just another way to stamp down businesses and to pick and choose who the winners and losers are. Thank you.

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

Representative **THORNE**: Thank you, Madam Speaker. I, too, rise in opposition of the pending motion based on the fact that this is just addressing documentation fees, doc fees, but dealers are allowed to charge destination fee, transportation fee, dealer preparation fee, vehicle registration fee, vehicle identification number etching fee, advertising fee, window tinting fee and other upgrade fees, sales taxes, extended warranty and dealer markup fees. And I'm just wondering after this year, after this one, are we going after these before we go for the Representative from Madison's Dunkin' Donut fees? Thank you.

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Cluchey.

Representative **CLUCHEY**: Thank you, Madam Speaker, fellow colleagues. I don't actually think that this is about the dollar amount of the fees. I think that this is an issue of fairness. We have many people here with different levels of comfort in pushing back against people in power and we have an opportunity today to speak up for some of our most vulnerable people who don't speak English all that well, or it may be an 18-year-old young woman who just graduated and wants to buy a car but feels intimidated to go in because she's not going to be able to get it at the same price as somebody who goes in there with a big white man. This is about fairness. This is an opportunity we have to protect our most vulnerable population and I urge you to follow my light.

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

Representative **ROEDER**: Thank you, Madam Speaker. I rise to support this motion. During the work session and during the public hearing, I heard testimony against this bill from car dealers surrounding the fact that these documentations are negotiable and any car buyer can negotiate that documentation fee down. And to the point of the Good Rep from Arundel, not every member of the public is aware of the ability to negotiate doc fees. In fact, I found peer-reviewed research and data on car negotiations, in particular a paper entitled "Who Loses When Prices are Negotiated? An Analysis of the New Car Market" by Ambarish Chandra, Sumeet Gulati and James M. Sallee. The following is from the study, and I quote; Most markets in North America have fixed rather than negotiated prices. Yet two of the biggest purchases in most consumers' lives, housing and automobiles, involve negotiated prices. Both these markets are complex, involve multiple subnegotiations and require consumers to have considerable sophistication and experience to negotiate favorable outcomes. The large sums of money involved in these markets combined with variation in consumers' information and bargaining abilities likely lead to significant

differences in the final prices paid. We; meaning the paper's authors; establish that there are large and persistent differences in final transaction prices for identical new cars and that demographic characteristics explain at least 20% of the observed variation. Older consumers perform progressively worse in negotiations and the age premium is greater for women than for men. Negotiated markets may yield worse outcomes for consumers who are already disadvantaged or vulnerable and may therefore exacerbate economic disparities. Our results reveal large disparities in transaction prices along with the consistent pattern of certain demographic groups paying higher prices compared to others. Older consumers pay a clear premium for new cars and older women, in particular, obtain the worst outcomes. Our results have important implications for public policy. The very fact that the new car market features negotiated prices implies that dealers have some ability to price discriminate. Our documented finding that final prices vary by many hundreds of dollars shows that price discrimination is, in fact, widespread and that certain types of customers cross-subsidize others, end-quote.

I'm grateful now to have the opportunity not only to explain one of the reasons I submitted this bill but to share some of the words that I heard from car dealers who testified in opposition of this bill. These dealers said that these documentation fees are negotiable and that there are some dealers who don't charge a documentation fee; in fact, that's what we've heard from some of our esteemed Members of this Body. I thank this Body for the chance to remind the public of that fact on mic and on the record. I also thank the Representative from Fairfield for letting folks that her doc fee is very reasonable and is actually \$25 lower than the limit set in my original bill. Regardless of the outcome of this bill, we are seeing movement at the federal level from the Federal Trade Commission to limit or eliminate so-called junk fees, such as the Representative from Carmel mentioned. One way or another, I hope to eventually see all car buying customers on an equal and fair footing. Thank you.

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

Representative **COLLAMORE**: Thank you, Madam Speaker. I did not intend to rise on this. I think it's the first time I'm saying that, too. There are two problems I'm having with this. Number one, I have to say, as somebody who spends a lot of time working bills very hard in Committee, it feels as though that work means nothing when we're running a report that's 11-1.

Secondly, as somebody who is a woman and has worked really hard to understand how to buy vehicles, buy a house; I'm getting ready to do my very first purchase of that; and who shops around, I was on State benefits, I had almost no money, Madam Speaker. I was one of those people choosing whether or not to put diapers on my son or food in my stomach. Because food stamps doesn't cover diapers. But because of that, I became thrifty. And I think many of us who are low income become thrifty. And when we're talking about fixed prices, there's nothing in our market that's fixed prices, Madam Speaker. I would go to the Dollar Tree or Dollar Store to buy my diapers because it was cheaper than going to Walmart. I would go to Sam's Club to buy bulk snacks and food because it was cheaper than going to Walmart and buying the smaller packages. I'd go to Target because their gluten-free food is cheaper than the Walmart gluten-free food. You just learn where to go. And I feel like telling car dealers whether or not they can charge a doc fee; which, by the way, I hate paying; is not fitting with the way that our country is set out for purchasing. I like that I can fight against a price of a vehicle and all we're going to see when this goes away, if this passes, all we're going to see is the price of cars go

up again and I cannot afford the prices of cars now. I have a vehicle that I would love to replace but I can't and we're just going to see that grow again. So, I urge you to please vote against this motion, go with the majority of this Committee who worked this policy really hard, and support that. Thank you, Madam Speaker.

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

Representative **UNDERWOOD**: Thank you, Madam Speaker. For anybody that hasn't had a good economics course, they should take one and learn to understand how the system works. As you raise; like, for example, if you push up the price of minimum wage, it drives the price of all wages up. And, again, it's going to be reflected in expenses and et cetera, so forth; and we're going to wind up paying for it. So, with that, I'd like to pose a question to the Chair and basically it is this; may we, as a Legislature, require a good basic course in economics to be taken by all; all; legislators?

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

Representative **ROEDER**: I can't speak to all of the Legislature, but I assure that the University of Maine is pretty happy with my economic ability since they gave me an MBA. Thank you.

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

ROLL CALL NO. 90

YEA - Ankeles, Ardell, Arford, Bell, Brennan, Cluchey, Dhalac, Eaton, Gattine, Golek, Gramlich, Jauch, Kessler, Lookner, Malon, Mathieson, Matlack, Millett R, Milliken, O'Neil, Osher, Pluecker, Rana, Reckitt, Roeder, Salisbury, Sheehan, Supica, Warren, Worth, Zager, Madam Speaker.

NAY - Abdi, Albert, Andrews, Arata, Babin, Bagshaw, Blier, Boyer, Boyle, Bradstreet, Bridgeo, Carlow, Carmichael, Cloutier, Collamore, Collings, Copeland, Crafts, Craven, Cray, Crockett, Cyrway, Davis, Dill, Dodge, Doudera, Drinkwater, Ducharme, Dunphy, Faulkingham, Fay, Foster, Fredericks, Geiger, Gere, Gifford, Graham, Greenwood, Griffin, Haggan, Hasenfus, Henderson, Hepler, Hobbs, Hymes, Javner, Kuhn, Landry, Lanigan, LaRochelle, Lavigne, Lee, Lemelin, Libby, Lyman, Madigan, Mason, Mastraccio, Meyer, Montell, Moonen, Moriarty, Morris, Murphy, Ness, Newman, Nutting, O'Connell, Parry, Paul R, Paulhus, Perkins, Perry A, Perry J, Poirier, Polewarczyk, Pomerleau, Quint, Roberts, Rudnicki, Runte, Russell, Sargent, Sayre, Schmearsal-Burgess, Shagoury, Skold, Smith, Soboleski, Stover, Strout, Swallow, Terry, Theriault, Thorne, Underwood, Walker, White B, White J, Williams, Woodsome.

ABSENT - Adams, Campbell, Costain, Galletta, Guerrette, Hall, Jackson, Lajoie, Millett H, Pringle, Rielly, Riseman, Sachs, Sampson, Shaw, Wood, Zeigler.

Yes, 32; No, 101; Absent, 17; Vacant, 1; Excused, 0.

32 having voted in the affirmative and 101 voted in the negative, 1 vacancy with 17 being absent, and accordingly the Minority **Ought to Pass as Amended Report was NOT ACCEPTED.**

Subsequently, on motion of Representative WILLIAMS of Bar Harbor, the Majority **Ought Not to Pass Report was ACCEPTED** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (7) **Refer to the Committee on HEALTH AND HUMAN SERVICES** - Minority (1) **Ought Not to Pass** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Support Public Health by Protecting Certain Activities Conducted Under Comprehensive Community Drug Checking Initiatives"

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

TABLED - May 16, 2023 (Till Later Today) by Representative SALISBURY of Westbrook.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

On motion of Representative SALISBURY of Westbrook, the Majority **Refer to the Committee on HEALTH AND HUMAN SERVICES** Report was **ACCEPTED.**

Subsequently, the Bill was **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

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

Representative **GREENWOOD**: Madam Speaker, can you identify the matter being held?

The SPEAKER: The Chair would answer that there are two items being held; item 6-7, which is LD 1051, and item 10-1, LD 470.

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

SENATE PAPERS

Bill "An Act to Support Potato Processing in Maine"

(S.P. 797) (L.D. 1961)

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

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 Expand the Use of Funds to Support Land Conservation" (EMERGENCY)

(S.P. 803) (L.D. 1969)

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

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

Bill "An Act to Limit Utility Shut-offs"

(S.P. 798) (L.D. 1962)

Bill "An Act Regarding the Future of Renewable Energy Transmission in Northern Maine"

(S.P. 799) (L.D. 1963)

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

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

Bill "An Act to Support Farming in Maine by Extending the Deadline for Manufacturers of Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances to Report on Those Products"

(S.P. 796) (L.D. 1960)

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

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

Bill "An Act to Implement the Recommendations of the Commission to Develop a Paid Family and Medical Leave Benefits Program"

(S.P. 800) (L.D. 1964)

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

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

Bill "An Act Regarding Open Primary Elections and Ranked-choice Voting"

(S.P. 795) (L.D. 1959)

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 following Joint Order: (S.P. 801)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, May 23, 2023, at 10:00 in the morning, or until the call of the President of the Senate and the Speaker of the House, respectively.

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

READ and **PASSED** in concurrence.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act to Implement a Statewide Public Health Response to Substance Use and Amend the Laws Governing Scheduled Drugs"

(H.P. 1266) (L.D. 1975)

Sponsored by Representative CRAFTS of Newcastle. Cosponsored by Senator HICKMAN of Kennebec and Representatives: BOYER of Poland, FAULKINGHAM of Winter Harbor, LANIGAN of Sanford, MILLIKEN of Blue Hill, PERRY of Calais, SHEEHAN of Biddeford, Senators: BAILEY of York, BRENNER of Cumberland.

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

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

Sent for concurrence.

Bill "An Act to Update the Growth Management Program Laws"

(H.P. 1267) (L.D. 1976)

Sponsored by Representative SACHS of Freeport.

Cosponsored by Senator HICKMAN of Kennebec and Representatives: FAY of Raymond, GATTINE of Westbrook, GERE of Kennebunkport, GOLEK of Harpswell, MATLACK of St. George, RANA of Bangor, Senator: PIERCE of Cumberland.

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

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

Sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

On motion of Representative DHALAC of South Portland, the House adjourned at 2:47 p.m., until 10:00 a.m., Tuesday, May 23, 2023, or until the call of the Speaker of the House and the President of the Senate, respectively, pursuant to the Joint Order (S.P. 801) and in honor and lasting tribute to Henry Grant Wiswell of Orrington.