

MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE
FIRST SPECIAL SESSION
19th Legislative Day
Tuesday, May 30, 2023

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

Prayer by Reverend Ronald A. Rosser Jr., First Baptist Church of Woodland.

National Anthem by Hartford-Sumner Elementary Chorus, Sumner.

Pledge of Allegiance.

The Journal of Thursday, May 25, 2023 was read and approved.

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

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

ENACTORS
Emergency Measure

An Act to Provide for the 2023 and 2024 Allocations of the State Ceiling on Private Activity Bonds

(S.P. 88) (L.D. 184)
(C. "A" S-105)

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act to Restore Access to Federal Laws Beneficial to the Wabanaki Nations"

(H.P. 1284) (L.D. 2004)

Sponsored by Speaker TALBOT ROSS of Portland.

Cosponsored by Senator BRAKEY of Androscoggin and Representatives: ANDREWS of Paris, DANA of the Passamaquoddy Tribe, FAULKINGHAM of Winter Harbor, MOONEN of Portland, Senators: BAILEY of York, BENNETT of Oxford, CARNEY of Cumberland, President JACKSON of Aroostook.

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

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

Sent for concurrence.

Bill "An Act to Eliminate the Aircraft Excise Tax"

(H.P. 1285) (L.D. 2005)

Sponsored by Representative FREDERICKS of Sanford.

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.

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

REPORTS OF COMMITTEE
Change of Committee

Report of the Committee on **JUDICIARY** on Bill "An Act to Amend the Regulation of Mobile Home Parks"

(S.P. 378) (L.D. 887)

Reporting that it be **REFERRED** to the Joint Select Committee on **HOUSING**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Joint Select Committee on **HOUSING**.

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

The Bill was **REFERRED** to the Joint Select Committee on **HOUSING** in concurrence.

Report of the Committee on **JUDICIARY** on Bill "An Act to Remove All Marijuana-related Provisions from the Maine Criminal Code and Expunge All Convictions Involving Marijuana"

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

Reporting that it be **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY**.

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

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

Divided Reports

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-119)** on Bill "An Act Establishing a System to Appeal Administrative Actions or Management Plans of the Bureau of Parks and Lands"

(S.P. 499) (L.D. 1218)

Signed:

Senator:

BLACK of Franklin

Representatives:

COSTAIN of Plymouth

CRAY of Palmyra

GUERRETTE of Caribou

HALL of Wilton

HEPLER of Woolwich

JACKSON of Oxford

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

Signed:

Senators:

INGWERSEN of York

HICKMAN of Kennebec

Representatives:

PLUECKER of Warren

JAUCH of Topsham

OSHER of Orono

SHAW of Auburn

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

READ.

Representative PLUECKER of Warren moved that the House **ACCEPT** the Minority **Ought Not to Pass** Report.

Representative ANDREWS of Paris **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **Ought Not to Pass** Report.

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

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

ROLL CALL NO. 100

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

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

ABSENT - Adams, Brennan, Collings, Eaton, Galletta, Lanigan, LaRochelle, Osher, Rana, Wood.

Yes, 76; No, 64; Absent, 10; Vacant, 1; Excused, 0.

76 having voted in the affirmative and 64 voted in the negative, 1 vacancy with 10 being absent, and accordingly the Minority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought Not to Pass** on Bill "An Act to Establish Rights for Holders of Certain Leases and Easements on Land Managed by the Bureau of Parks and Lands"

(S.P. 500) (L.D. 1219)

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 to Pass as Amended by Committee Amendment "A" (S-120)** on same Bill.

Signed:

Senator:

BLACK of Franklin

Representatives:

COSTAIN of Plymouth
CRAY of Palmyra
GUERRETTE of Caribou
HALL of Wilton
JACKSON of Oxford

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

READ.

Representative PLUECKER of Warren moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

ROLL CALL NO. 101

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

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

ABSENT - Adams, Brennan, Collings, Eaton, Galletta, Lanigan, LaRochelle, Osher, Rana, Schmursal-Burgess, Wood.

Yes, 77; No, 62; Absent, 11; Vacant, 1; Excused, 0.

77 having voted in the affirmative and 62 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 **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-114)** on Bill "An Act to Add Electric Bicycles to the Electric Vehicle Rebate Program" (S.P. 122) (L.D. 256)

Signed:

Senators:

LAWRENCE of York
GROHOSKI of Hancock

Representatives:

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

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

Signed:

Senator:

HARRINGTON of York

Representatives:

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

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-114)**.

READ.

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

Representative FOSTER of Dexter **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. Although the amended version of this bill that we actually voted on here today states that the Efficiency Maine Trust will consider low- and moderate-income individuals when granting them monies to help them purchase an electric bike, and it also states that it must be their principal means of commuting. I would suggest that most of the folks that many of us represent in rural Maine would find that that is not very practical. And even though it was directed to me during testimonies on this bill that it has served as a means of getting out your deer, if you happen to harvest one, I would find that maybe an electric four-wheeler would be more practical than that or, more importantly, that the Efficiency Maine Trust funds be used for those low-income and moderate-income individuals to help with further weatherization, possibly more energy-efficient household items such as light bulbs and/or a more efficient rechargeable flashlight that might last throughout the night. 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. 102

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Bridgeo, Cloutier, Cluchey, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Lajoie, Landry, 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, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

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

ABSENT - Adams, Brennan, Collings, Eaton, Galletta, Lanigan, LaRoche, Rana, Wood.

Yes, 77; No, 64; Absent, 9; Vacant, 1; Excused, 0.

77 having voted in the affirmative and 64 voted in the negative, 1 vacancy with 9 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-114)** 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-114)** in concurrence.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-118)** on Resolve, Directing the Department of Environmental Protection to Review Its Environmental Permitting Laws (S.P. 225) (L.D. 508)

Signed:

Senators:

BRENNER of Cumberland
CARNEY of Cumberland

Representatives:

GRAMLICH of Old Orchard Beach
BELL of Yarmouth
BRIDGEO of Augusta
CAMPBELL of Orrington
DOUDERA of Camden
HOBBS of Wells
O'NEIL of Saco

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

Signed:
Senator:

LYFORD of Penobscot

Representatives:

SCHMERSAL-BURGESS of Mexico
SOBOLESKI of Phillips
WOODSOME of Waterboro

Came from the Senate with the Majority **OUGH TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-118)**.

READ.

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

The Resolve was **READ ONCE. Committee Amendment "A" (S-118)** 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-118)** in concurrence.

Nine Members of the Committee on **JUDICIARY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-84)** on Bill "An Act to Improve Family Court Procedure"

(S.P. 248) (L.D. 580)

Signed:
Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

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

Three Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (S-85)** on same Bill.

Signed:
Senator:

LYFORD of Penobscot

Representatives:

HAGGAN of Hampden
LEE of Auburn

One Member of the same Committee reports in Report "C" **Ought Not to Pass** on same Bill.

Signed:
Representative:

ANDREWS of Paris

Representative DANA of the Passamaquoddy Tribe - of the House - supports Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-84)**.

Came from the Senate with Report "A" **OUGH TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-84)**.

READ.

On motion of Representative MOONEN of Portland, Report "A" **OUGH TO PASS AS AMENDED** was **ACCEPTED**.

The Bill was **READ ONCE. Committee Amendment "A" (S-84)** 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-84)** in concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-243)** on Bill "An Act to Allow Bail Commissioners to Carry Firearms in Correctional Facilities and Jails"

(H.P. 443) (L.D. 674)

Signed:
Representatives:

SALISBURY of Westbrook
ARDELL of Monticello
HASENFUS of Readfield
LAJOIE of Lewiston
NEWMAN of Belgrade
NUTTING of Oakland
PERKINS of Dover-Foxcroft

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

Signed:
Senator:

BEEBE-CENTER of Knox

Representatives:

LOOKNER of Portland
MATHIESON of Kittery
MILLIKEN of Blue Hill

READ.

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act to Amend the Laws Governing Operating Under the Influence"

(H.P. 974) (L.D. 1519)

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
NEWMAN of Belgrade
NUTTING of Oakland
PERKINS of Dover-Foxcroft

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-233)** on same Bill.

Signed:

Representatives:

MATHIESON of Kittery
MILLIKEN of Blue Hill

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 **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-227)** on Resolve, Naming a Pond in Elm Stream Township as Plummer Pond
(H.P. 430) (L.D. 661)

Signed:

Senators:

LaFOUNTAIN of Kennebec
BLACK of Franklin
CURRY of Waldo

Representatives:

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

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

Signed:

Representative:

CLUCHEY of Bowdoinham

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-227)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-227)** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-232)** on Bill "An Act to Restore the Former State of Maine Flag"

(H.P. 54) (L.D. 86)

Signed:

Senators:

NANGLE of Cumberland
BALDACCI of Penobscot

Representatives:

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

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

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ADAMS of Lebanon
GREENWOOD of Wales
UNDERWOOD of Presque Isle

READ.

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

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

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act to Amend the Maine Tree Growth Tax Law to Encourage Housing Construction"

(H.P. 215) (L.D. 341)

Signed:

Senators:

GROHOSKI of Hancock
CHIPMAN of Cumberland

Representatives:

PERRY of Bangor
CROCKETT of Portland
MATLACK of St. George
QUINT of Hodgdon

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-236)** on same Bill.

Signed:

Senator:

LIBBY of Cumberland

Representatives:

CARMICHAEL of Greenbush
LAVIGNE of Berwick

READ.

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

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-234)** on Bill "An Act to Exempt Nonprofit Land Trusts from Sales Tax"

(H.P. 464) (L.D. 695)

Signed:
Senators:

GROHOSKI of Hancock
CHIPMAN of Cumberland

Representatives:

PERRY of Bangor
CROCKETT of Portland
HASENFUS of Readfield
MATLACK of St. George
RANA of Bangor

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-235)** on same Bill.

Signed:
Senator:

LIBBY of Cumberland

Representatives:

CARMICHAEL of Greenbush
LAVIGNE of Berwick
QUINT of Hodgdon
RUDNICKI of Fairfield

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-234)** 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-234)** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Increase the Percentage of the Population Required to Submit a State Referendum Question

(H.P. 912) (L.D. 1416)

Signed:
Senators:

HICKMAN of Kennebec
BRENNER of Cumberland
TIMBERLAKE of Androscoggin

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-241)** on same RESOLUTION.

Signed:
Representative:
RISEMAN of Harrison

READ.

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

Six Members of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-237)** on Resolve, to Study the Effects of 5G Technology on Bird, Bee and Insect Populations and the Effects of Long-term Exposure on Children

(H.P. 466) (L.D. 697)

Signed:
Senator:

HARRINGTON of York

Representatives:

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

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

Signed:
Senator:

LAWRENCE of York

Representatives:

ZEIGLER of Montville
BOYLE of Gorham
KESSLER of South Portland
RUNTE of York

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-238)** on same Resolve.

Signed:
Representative:
WARREN of Scarborough

READ.

On motion of Representative ZEIGLER of Montville, **TABLED** pending **ACCEPTANCE** of any Report and later today assigned.

Six Members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-231)** on Resolve, to Study Training in Racial Issues, Racial Justice and Social Issues at the Maine Criminal Justice Academy and Study Additional Requirements for Law Enforcement Officers and Candidates

(H.P. 795) (L.D. 1247)

Signed:
Senator:

BEEBE-CENTER of Knox

Representatives:

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

Six Members of the same Committee report in Report "B"

Ought Not to Pass on same Resolve.

Signed:

Senators:

HARRINGTON of York
LaFOUNTAIN of Kennebec

Representatives:

ARDELL of Monticello
NEWMAN of Belgrade
NUTTING of Oakland
PERKINS of Dover-Foxcroft

READ.

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

ENACTORS

Emergency Measure

Resolve, to Establish the Commission Regarding Foreign-trained Physicians Living in Maine

(H.P. 584) (L.D. 937)
(C. "A" H-128)

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. 116 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, Regarding Legislative Review of Portions of Chapter 119: Motor Vehicle Fuel Volatility Requirements, a Late-filed Major Substantive Rule of the Department of Environmental Protection

(H.P. 1064) (L.D. 1652)

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. 119 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Thursday, May 25, 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 (10) **Ought to Pass as Amended by Committee Amendment "A" (H-194)** - Minority (3) **Ought Not to Pass** - Committee on **JUDICIARY** on Bill "An Act to Reduce Commercial Sexual Exploitation"

(H.P. 931) (L.D. 1435)

TABLED - May 23, 2023 (Till Later Today) by Representative MOONEN of Portland.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

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

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

Representative **RECKITT**: Madam Speaker, I rise today as the lead sponsor of LD 1435. I have served now for nearly seven years as one of the Representatives from South Portland. You, Madam Speaker, and others in this Chamber may have typecast me as one of the vocal advocates for women in this Chamber. I am proud to be so viewed. I have spent my life in the cause of women's rights, especially working to assist women whose lives have been damaged or destroyed by violence. Often at such moments, I would tell you stories from my life. Today, I will spare you that and instead try to help you understand why I care so much about the bill before you. I have heard the voices of women all over this country, from friends who were forced by their life circumstances to live as what was then called a prostitute. Indeed, of my first cousin who did the same and who shares my first name. The voices of women who entrusted me with their stories and with their pain.

Today, I bring this bill to you because it could be the first step in transforming lives of those trafficked, trapped or in the depths of despair. This bill acknowledges that the last thing trafficked and prostituted women need is a criminal record as they work to restart their lives and, for many of them, to reframe that life and to protect their children. I believe that people should not be criminalized for crimes that are happening to them. This bill seeks to discontinue the practice authorized in Maine, although practiced infrequently these days, I understand, of arresting those who sell their bodies for sex, the vast majority of the time because life has given them very few choices and even less support for their lives and the lives of their children.

This bill will not alone solve all of their problems, but coupled with its acknowledgment that what has been called for centuries prostitution is driven by the demand presented by those who choose to buy another human being's body. This bill maintains the existing crime in Maine of buying sex. This bill represents a demand reduction strategy, proven successful in several European countries, most recently in a report from France, seven years after their adoption of a similar plan. We in Maine can help lead the movement to end the buying of our fellow citizens, predominantly females. Why should we join our sisters and brothers in Hawaii to lead the movement in the United States to do so? More than 30 years ago, feminist writer Kathleen Barry wrote in her groundbreaking book Female Sexual Slavery; we must end this system of inherent exploitation because in addition to the physical harm and degradation of individual women, the continued buying of sex leads, inadvertently or deliberately, to the devaluing of all women in our society, not just the prostituted persons.

There are two other aspects of LD 1435 that I want to explain to you. The first are the shifts in language throughout. This amended language is crucial to both the Legislature's and society's understanding of this initiative and others like it. The changes are from prostitute to prostituted person and the use of the term commercial sexual exploitation. The use of the words commercial sexual exploitation clarifies that using children or those with significant mental disability in this way is buying another human being for your personal pleasure. These shifts in terminology reflect my belief that exchanging anything of pecuniary value, be it money, drugs, a place to live, safety for

your children for the sexual use of another's body is unacceptable. Society must develop and support better options for those who are exploited in these ways.

I often struggle to understand why we cannot instead work as hard and effectively as we can to make it possible for those who are bought to find another path to survival. I have all my adult life been concerned about the welfare and rights of women. In the mid-1980s, I held seven hearings on the impact of violent pornography across the breadth of the United States, from New York to California. I was personally devastated by what I saw and heard. I felt defiled by images that I have never been able to erase from my memory. And I talked before that, then, and subsequently to women currently and formerly engaged in prostitution. But the avenue through which I could help change their realities did not become clear to me until five years ago. A young patrol officer from Portland came to me at that time. He had been on patrol in part on the track for some time. He felt he had no way to impact the practice of selling and buying sex on the street. He was frustrated. So, he began to research practices to that end around the world. At that juncture, he came to me with what he had found and what at that time was termed the Nordic model for dealing with the problem of prostituted persons because it was first advanced in the Scandinavian countries of Europe. It was and is a demand reduction strategy, now more commonly known as partial decriminalization of prostitution. Within the first two years of adopting this equality model, as it is also termed, Sweden had a 50% decrease in street prostitution and a significant decline in the number of men purchasing sex. Other countries; Norway, Iceland, France, Canada, Ireland and others; have followed suit with similar results. Recent results from France have been equally as dramatic. Nearly a thousand persons have successfully exited the life and 87.5% of them have found stable employment. Criminal investigations related to pimping and trafficking have increased by 54%. Society there has become aware of the extent of child and youth prostitution.

I ask you today to help lead the several states in the United States to do to the same end. Hawaii did so two years ago. Similar bills are now under consideration in at least New York and Massachusetts. I ask you to keep the existing penalty now in our laws for buying and continue to stop arresting those who feel compelled to sell and recognize in Statute that the sexual exploitation of children and people with a mental disability is an even more egregious act. Today, you have a part of what I believe, truly, is the first step in transforming lives of those trafficked, trapped or in the depths of despair. This bill acknowledges that the very last thing trafficked and prostituted women need is a criminal record as they work to restart their lives and, for many of them, to reframe that life and protect their children. And I hope you believe, as I do, that people should not be criminalized for crimes that are happening to them. I ask you to vote in favor of LD 1435, "An Act to Reduce Sexual Exploitation." Thank you very much, Madam Speaker.

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

Representative **POIRIER**: Thank you, Madam Speaker. I would support this bill if it was truly about sex trafficking. LD 1435 legalizes prostitution without regard for circumstance, that is whether a person is a willing participant or not. You've heard that the bill keeps existing laws for buyers of sex. But by legalizing prostitution, this bill ties the hands of law enforcement and investigators will no longer have the tools that they use to prosecute even patrons. So, we need to be very careful in what we're doing here because I think we're going to find if this bill does pass there are going to be negative consequences;

unforeseen consequences to our actions. So, I ask you to join me and oppose the pending motion. Thank you.

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. I respect Representative Reckitt. I've worked with her in Criminal Justice and I understand her passion of this bill and I think you heard that. This doesn't take care of the sex trafficking piece; it just makes women exploited and increases mob violence. I think that if you look at the newspapers, very rarely you see any lady or women that have been charged for prostitution. I haven't seen one for quite a few years. But with the law that we have, it is a tool to help them get out of the situations that they've been in. And so, we'll be taking away that tool that we've been able to use to help.

A lot of times, people look at law enforcement as the enemy. But we are hired by the public and we are there to help and that's what we're there for. If you look at similar areas that this bill that you're trying to pass has been passed; in Ohio, California; crime increased in Ohio 800%. 800%. Is that what we want? I don't think so. We just witnessed a crime right out here, when many of us went out for the memorial service for law enforcement and we got graffiti on it now. I've never heard of that being done around here in Maine to that extent. This is what's coming. If we continue to weaken our laws, we're going to get worse and worse and worse. And this is a form of it. You know, I grew up in a time when I can remember a song called "It Takes Two" by the Osmonds. And it does. You can't just say one and then not the other is going to be held accountable. We have to look at what we're doing here. I thought we had it right. But I will say that this bill could be formed a little bit better and I think if we had taken the time, we could've made it a little better, kind of like what we did with domestic violence. Domestic violence is a very serious offense but you know as well as I do that in a relationship, it could be one or the other. And the same thing with this. So, why not make it very similar to what we have now currently with domestic violence and have it go to the DA's office; the DA's office has this team, a sex violence team, that actually is through the Attorney General's Office and through the DA's office and they actually get helped. This is an avenue that can happen, the same thing with the sex trafficking.

So, I think that would be the better result than totally doing away with it. So, I think if we vote no on this today, we can work at getting something better and we can also have that tool still there to help somebody in really a bad situation. I don't want to see someone that really needs the help and not be able to get it. And right now with this bill, the way it's set up, not one bit of help can go to that person from law enforcement and we're taking that away. And I'll tell you that I can tell you parents have come to me and begged me to help their daughter and we got rid of that drug trafficking crime just a few years ago and we can't and guess what, sex trafficking is on the increase. Where did that help? I thank you, Madam Speaker, because I think that this is a time when we really should take the time and think this out before we start just getting rid of things in law enforcement instead of really thinking how we can make it help it better. And I'm all for that. 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. 103

YEA - Abdi, Andrews, Ankeles, Arford, Babin, Bell, Boyer, Boyle, Bridgeo, Cloutier, Cluchey, Collamore, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Faulkingham, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Lajoie, Landry, 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, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Theriault, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

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

ABSENT - Adams, Brennan, Eaton, Galletta, Lanigan, LaRochelle, Rana.

Yes, 86; No, 57; Absent, 7; Vacant, 1; Excused, 0.

86 having voted in the affirmative and 57 voted in the negative, 1 vacancy with 7 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-194) 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-194)** and sent for concurrence.

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

Expression of Legislative Sentiment Recognizing Hannah Robinson, of Pittsfield

(HLS 371)

TABLED - May 23, 2023 (Till Later Today) by Representative COLLAMORE of Pittsfield.

PENDING - **PASSAGE.**

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

Expression of Legislative Sentiment Recognizing Clark Manawonsakul, of Bangkok, Thailand

(HLS 372)

TABLED - May 23, 2023 (Till Later Today) by Representative COLLAMORE of Pittsfield.

PENDING - **PASSAGE.**

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

Expression of Legislative Sentiment Recognizing Alyssa Ardry, of Pittsfield

(HLS 373)

TABLED - May 23, 2023 (Till Later Today) by Representative COLLAMORE of Pittsfield.

PENDING - **PASSAGE.**

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

Representative **COLLAMORE:** Thank you, Madam Speaker. I stand today to recognize the amazing graduating class of Maine Central Institute. I have had the great pleasure of watching most of these young people grow up all through their school careers. When they entered their freshman year, I said I would not want to be the one who has to select the top 10 in this class and boy, did these students prove my point. For the first time in MCI's history, at least from what I was able to find, the graduating class of 2023 has two valedictorians. I am pleased to recognize Alyssa Ardry of Pittsfield and Clark Manawonsakul of Bangkok, Thailand, as the co-valedictorians for the MCI class of 2023.

Clark has received undergraduate awards in AP Physics I and II, AP Language and Composition, AP Calculus, Advanced Anatomy, among others. He was a Manson Essay finalist and runner-up and serves as a prefect in his residence hall on campus. Clark participated in track and football, additionally is a member of the National Honor Society, Student Council, Model UN, Student Ambassador and Calculus Café.

In addition to her high academic achievements, Alyssa has received many undergraduate awards as well, including awards in Earth and Space Science, Spanish II, Choir, PE, Chemistry and AP History. She's also received the Society of Women Engineers Award, the George M. Parks Award, the College Board Rural and Small Town Recognition Award. Alyssa is the captain of the girls' soccer team and captain of the indoor and outdoor track teams, having received the Coach's Award for the outdoor track team. She is the President of Student Council, an officer of the National Honor Society, an Alumni Association Student Ambassador and a member of the Key Club. Alyssa has also been a Girl Scout for over 13 years, having received a bronze award for her service.

Equally as impressive, Hannah Robinson has earned the distinction of salutatorian for the class of 2023. Hannah was here not that long ago before us, having being recognized as MCI's Maine Principal Association awardee. Additionally, Hannah received undergraduate awards in History I, Spanish I, Geometry, Algebra II, PE, History III and Anatomy and Physiology. She was a Manson Essay finalist and received the top award of the Manson essayist. She is an officer of the National Honor Society and President of the Key Club. Hannah is also a three-season athlete, participating in field hockey, basketball and softball.

I would like you to please welcome them and also join me in congratulating them on all of their wonderful accomplishments. Thank you, Madam Speaker.

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

SENATE PAPERS
Non-Concurrent Matter

Resolve, Regarding Legislative Review of Chapter 117: Rule Regarding the Duties of School Counselors and School Social Workers, a Major Substantive Rule of the Department of Education (EMERGENCY)

(H.P. 245) (L.D. 394)

PASSED TO BE ENGROSSED in the House on May 11, 2023.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-102)** in **NON-CONCURRENCE**.

Speaker TALBOT ROSS of Portland moved that the House **RECEDE AND CONCUR**.

Representative SAMPSON of Alfred **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

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

Representative **SAMPSON**: Thank you. So, this is just a reminder that the whole point of this Resolve was to expand the role of school counselors and social workers to have privileged communication with children, which essentially means keeping secrets from their parents. Thank you.

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

Representative **MILLETT**: Thank you, Madam Speaker. This arose out of a bill that I submitted that requires our counselors and social workers to focus on the jobs that they were hired to do rather than sit in a study hall, watch recess or work in the lunchroom. And we had to clarify what the actual jobs were in order to make sure they were doing them. Thank you.

The SPEAKER: The Chair recognizes the Representative from Chelsea, Representative Lemelin.

Representative **LEMELIN**: Thank you, Madam Speaker. Maybe everybody forgot my earlier speech. I'd like to remind them. First of all, guidance counselors; not one person in any school district in Maine was hired to do a job called keep secrets from parents. Guidance counseling has nothing to do with keeping secrets from parents. And my previous statement still holds and, Madam Speaker, I just want you to know that I have submitted all the names to the authorities and they are looking into it. Thank you.

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

Representative **CYRWAY**: Thank you, Madam Speaker. I, too, I just want to clarify that I feel that through the years that I've worked in schools, I have the highest respect for the counselors and the guidance counselors as well and worked well with them. I have never seen where they needed to keep a secret and keep something from a parent. And so, now we're going to do that, which is a control matter. And so, I'm very concerned with that and I still think that we are making a mistake by allowing this. Thank you, Madam Speaker.

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

ROLL CALL NO. 104

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Lajoie, Landry, 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, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

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

ABSENT - Adams, Brennan, Campbell, Eaton, Galletta, Lanigan, LaRoche, Rana.

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

79 having voted in the affirmative and 63 voted in the negative, 1 vacancy with 8 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

Non-Concurrent Matter

Bill "An Act to Increase Transparency of and Lower Health Care Costs"

(H.P. 680) (L.D. 1085)

Majority (8) **OUGHT NOT TO PASS** Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES READ** and **ACCEPTED** in the House on May 16, 2023.

Came from the Senate with the Minority (5) **OUGHT TO PASS** Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-125)** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Bill "An Act to Advance the Maine Retirement Savings Program" (EMERGENCY)

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

FAILED of **PASSAGE TO BE ENACTED** in the House on May 23, 2023.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-135)** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

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

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** in the House on May 18, 2023.

Came from the Senate **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in **NON-CONCURRENCE**.

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

Representative TERRY of Gorham assumed the Chair.
The House was called to order by the Speaker Pro Tem.

COMMUNICATIONS

The Following Communication: (H.C. 188)

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

May 25, 2023

The Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, ME 04333-0002
Dear Clerk Hunt,

Pursuant to my authority under Title 22, Chapter 1683, Subchapter 1, §8718, I have appointed the Honorable Poppy Arford of Brunswick to serve as the House member, seat 3, on the Maine Health Data Organization Health Information Advisory Committee, effective immediately.

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

Sincerely,
S/Rachel Talbot Ross
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 190)

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

May 26, 2023

The Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, Maine 04333
Dear Clerk Hunt:

Pursuant to my authority under House Rule 201.1 (l) (a), I am temporarily appointing Representative Michael Lemelin of Chelsea to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business, replacing Representative Lucas Lanigan of Sanford, effective May 26, 2023. This appointment will expire at the end of the day on May 26, 2023.

Please do not hesitate to contact me should you have any questions regarding this temporary appointment.

Sincerely,
S/Rachel Talbot Ross
Speaker of the House

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 189)

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

May 30, 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:"

Health and Human Services

L.D. 182 An Act to Create a 9-month Time Limit on General Assistance Benefits for Able-bodied Adults Without Dependents

L.D. 183 An Act to Incorporate Time Limits on the Temporary Assistance for Needy Families Program into Municipal General Assistance Programs

L.D. 268 An Act to Establish a 45-day Municipal Residency Requirement for General Assistance Programs

L.D. 364 An Act to Prohibit the Use of General Assistance as a Replacement for Available Resources

L.D. 454 An Act to Establish a 180-day State Residency Requirement for Municipal General Assistance

L.D. 715 An Act to Strengthen Child Protection

L.D. 1174 An Act to Prohibit the Sale of Flavored Tobacco Products

L.D. 1321 An Act to Address Income Disparity in Health Care by Limiting the Compensation of Hospital Executives

L.D. 1382 An Act to Establish the Guiding Public Health Principles of Focused Protection for Pandemics of a Highly Infectious Respiratory Disease

L.D. 1972 Resolve, to Improve Long-term Care for the People of Maine (EMERGENCY)

Inland Fisheries and Wildlife

L.D. 126 An Act to Improve the Fairness of Adaptive Management Study Moose Hunt Permits by Exempting Those Permittees from the 4-year Limitation on Receiving Another Permit

L.D. 1534 An Act to Implement the Recommendations of the Interagency Task Force on Invasive Aquatic Plants and Nuisance Species

L.D. 1563 An Act to Allow a Resident of Agricultural Land to Enlist License Holders to Hunt on the Land (EMERGENCY)

L.D. 1599 An Act to Create an Outfitter License for Owners and Operators of Hunting, Fishing and Recreation Businesses That Are Not Maine Guides

L.D. 1924 An Act to Provide for Enforcement of Snowmobile and All-terrain Vehicle Laws

Labor and Housing
L.D. 1746 An Act to Require Responsible Contracting Practices
for Public Construction Projects

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

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

The Following Communication: (S.C. 550)

**MAINE SENATE
131st LEGISLATURE**

OFFICE OF THE SECRETARY OF THE SENATE

May 25, 2023
Honorable Rachel Talbot Ross
Speaker of the House
2 State House Station
Augusta, ME 04333-0002
Dear Speaker Talbot Ross:

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

Upon the recommendation of the Committee on Energy, Utilities and Technology:

- James A. Carlson of Gorham for appointment, to the Maine Connectivity Authority,
- Hannah Carter of Orono for appointment, to the Maine Connectivity Authority.

Upon the recommendation of the Committee on Labor and Housing:

- Allyson Coombs of Brunswick for reappointment, to the State Workforce Board,
- David J. Dunning of Orrington for appointment, to the State Workforce Board,
- Jennifer M. Fullmer of Biddeford for reappointment, to the State Workforce Board,
- Al Harris of Waterville for appointment, to the State Workforce Board,
- Colleen Hilton of South Portland for reappointment, to the State Workforce Board,
- Tinan Melissa Hue of Portland for appointment, to the State Workforce Board,
- John M. Leavitt of Saco for reappointment, to the State Workforce Board,
- Alexander Rodman Rogers of Manchester for appointment, to the State Workforce Board,
- Michael Tyler of Camden for appointment, to the State Workforce Board,
- Briana Warner of Cumberland for appointment, to the State Workforce Board,
- Corinne Watson of Oakfield for appointment, to the State Workforce Board,
- Tuesdi Woodworth of Searsmont for appointment, to the State Workforce Board.

Best Regards,
S/Darek M. Grant
Secretary of the Senate

READ and **ORDERED PLACED ON FILE.**

CONSENT CALENDAR

First Day

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

(S.P. 385) (L.D. 893) Bill "An Act to Amend the Legislative Membership of the Hancock County Budget Advisory Committee" (EMERGENCY) Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

(S.P. 692) (L.D. 1728) Bill "An Act to Ensure Access to Federally Approved Opioid Overdose-reversing Medication" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(S.P. 31) (L.D. 39) Bill "An Act to Amend the Maine Juvenile Code" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-112)**

(S.P. 318) (L.D. 760) Bill "An Act to Amend the Laws Regarding Signature Requirements on Issuance of General Fund Bonds" Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-110)**

(S.P. 332) (L.D. 773) Bill "An Act to Ensure Access by Parties and Attorneys to Records in Child and Adult Protection Proceedings" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-109)**

(S.P. 557) (L.D. 1390) Bill "An Act to Provide Self-service Motor Vehicle Services in Rural and Other Areas" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-113)**

(H.P. 77) (L.D. 109) Bill "An Act to Improve Safety for Individuals Living in Recovery Residences" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-230)**

(H.P. 141) (L.D. 220) Bill "An Act to Support Maine's Potato Farmers and Processors" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-224)**

(H.P. 150) (L.D. 229) Bill "An Act to Compensate Tribal Governments for Basic Training for a Law Enforcement Officer Hired by Another Government Agency" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-242)**

(H.P. 230) (L.D. 379) Bill "An Act to Responsibly Regulate Recreational Boats on Maine Lakes" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-240)**

(H.P. 352) (L.D. 547) Bill "An Act to Amend the Hunting Laws as They Pertain to the Training of Dogs" (EMERGENCY) Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-226)**

(H.P. 536) (L.D. 847) Bill "An Act to Support Law Enforcement in Interactions with Individuals with Histories of Trauma" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-229)**

(H.P. 557) (L.D. 901) Resolve, to Establish a Pilot Project to Support Farm Apprenticeships in Maine Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-225)**

(H.P. 666) (L.D. 1030) Bill "An Act Relating to Requirements for School Bus Drivers" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-223)**

(H.P. 669) (L.D. 1033) Bill "An Act Regarding the Issuing of Diplomas for Students at the Long Creek Youth Development Center" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-244)**

(H.P. 808) (L.D. 1260) Resolve, to Study Expansion of Civics Education and Engagement Through the Secretary of State Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-245)**

(H.P. 918) (L.D. 1422) Bill "An Act to End Homelessness and Assist Students Who Are Homeless by Establishing a Housing Voucher Program and Providing Site-based Housing Services" Joint Select Committee on **HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-239)**

(H.P. 1090) (L.D. 1701) Resolve, to Reestablish and Continue the Work of the Blue Ribbon Commission to Study Emergency Medical Services in the State Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-228)**

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

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

ENACTORS

Acts

An Act to Allow the Deferral of a Moose Hunting Permit If More than One Permit Is Awarded Within the Same Household (H.P. 298) (L.D. 481) (C. "A" H-119)

An Act to Provide Natural Organic Reduction Facilities for Maine Residents for the Conversion of Human Remains to Soil (H.P. 341) (L.D. 536) (C. "A" H-129)

An Act to Provide Substance Use Disorder Counseling for MaineCare Members with an Acquired Brain Injury (H.P. 344) (L.D. 539) (C. "A" H-138)

An Act to Establish Peer Respite Centers for Adults with Mental Health Challenges in Maine (H.P. 345) (L.D. 540) (C. "A" H-137)

An Act to Allow Clerks to Issue Absentee Ballots After the 3rd Business Day Before Election Day to Voters with a Physical or Mental Disability and Certain Voters' Caregivers (H.P. 552) (L.D. 886) (C. "A" H-133)

An Act Concerning Sexual Orientation and Gender Identity Data Collection in Health Care Facilities (H.P. 603) (L.D. 956) (C. "A" H-127)

An Act to Align the Automobile Title Requirements with Those of Antique Automobiles (H.P. 613) (L.D. 966) (C. "A" H-135)

An Act to Authorize Municipalities to Allow Firefighters to Have Increased Lighting on Their Personal Vehicles (H.P. 821) (L.D. 1296) (C. "A" H-139)

An Act to Address Food Insecurity and Support Local Agriculture (H.P. 1037) (L.D. 1612) (C. "A" H-126)

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

Resolves

Resolve, to Require the Department of Inland Fisheries and Wildlife to Develop a Plan for Communication Regarding Certain Municipal Regulation (H.P. 308) (L.D. 491)

Resolve, to Establish a Pilot Project to Improve Access to Credit for Low-income Individuals (H.P. 703) (L.D. 1107) (C. "A" H-134)

Resolve, to Reduce Barriers to Recovery from Addiction by Expanding Eligibility for Targeted Case Management Services (H.P. 750) (L.D. 1178) (C. "A" H-136)

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

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

ORDERS

On motion of Representative KESSLER of South Portland, the following House Order: (H.O. 26)

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

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

WHEREAS, the First Amendment of the United States Constitution guarantees that Congress shall make no law abridging the freedom of speech or the right to petition the Government for a redress of grievances; and

WHEREAS, the Constitution of Maine, Article I, Section 4 similarly provides that every citizen may freely speak, write and publish sentiments on any subject, being responsible for the abuse of this liberty; and

WHEREAS, the act of lobbying an elected official has been recognized by the United States Supreme Court as an act of free speech and petitioning of the Government, and thus protected by the First Amendment, *Buckley v. Valeo*, 424 U.S. 1, 48 (1976); and

WHEREAS, the United States Supreme Court has ruled that the protected nature of this activity is not altered by the fact that the speech is on behalf of others for a fee, *Riley v. National Federation of the Blind of North Carolina*, 487 U.S. 781, 801 (1988); and

WHEREAS, the United States Supreme Court has ruled that without specific justification, the United States Constitution does not tolerate the loss of First Amendment freedoms, even for minimal periods of time, *National Treasury Employees Union v. United States*, 927 F.2d 1253, 1254 (D.C. Cir. 1991) (quoting *Elrod v. Burns*, 427 U.S. 347, 373 (1976)); and

WHEREAS, there is a question within the House of Representatives with respect to Legislative Document 1357 regarding the prohibition of compensated lobbying for one year after employment by former executive branch employees and officers who are citizens of Maine; now, therefore, be it

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

Question 1. Is compensated lobbying of elected officials by Maine citizens considered protected free speech under the Constitution of Maine, Article I, Section 4, similar to the First Amendment of the United States Constitution?

Question 2. If the answer to Question 1 is in the affirmative, is the restriction of certain citizens of Maine from compensated lobbying of elected officials for any period of time a violation of their right to free speech under the Constitution of Maine, Article I, Section 4?

Question 3: If the answer to Question 1 is in the affirmative, is the restriction of certain citizens of Maine from compensating those who are restricted from lobbying elected officials for any period of time a violation of their right to free speech under the Constitution of Maine, Article I, Section 4?

READ.

On motion of Representative KESSLER of South Portland, this House Order was **TABLED** pending **PASSAGE** and **especially assigned for Thursday, June 1, 2023**, pursuant to House Rule 513.

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

The SPEAKER PRO TEM: The Chair recognizes the Representative from Westbrook, Representative Salisbury.

Representative **SALISBURY**: Thank you, Madam Speaker. Permission to speak on the record?

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

Representative **SALISBURY**: Thank you, Madam Speaker. On January 21, 2013, Hadiya Pendleton marched in President Obama's second inaugural parade. One week later, Hadiya was shot and killed on a playground in Chicago. Soon after this tragedy, Hadiya's friends commemorated her life by wearing orange, the color hunters wear in the woods to protect themselves and others. Wear Orange is now observed every June. Thousands of people wear the color orange to honor Hadiya and the more than 40,000 people who are killed with guns and approximately 85,000 who are shot and wounded each year. I was so pleased to see so many people wearing orange today and handing out flyers that were the same color and that reminded me of Hadiya's story and why we wear orange in June. Thank you.

On motion of Representative MURPHY of Scarborough, the House adjourned at 11:44 a.m., until 10:00 a.m., Thursday, June 1, 2023, in honor and lasting tribute to Hayden William Anderson of Scarborough.