

MAINE STATE LEGISLATURE

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



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

ONE HUNDRED THIRTY-FIRST LEGISLATURE
FIRST SPECIAL SESSION
26th Legislative Day
Wednesday, June 14, 2023

State of Maine
Office of the Secretary of State
June 14, 2023

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

Prayer by Chaplain Phillip Dow, Maine Army National Guard, Palermo.

National Anthem by Honorable Caleb Joshua Ness, Fryeburg.

Pledge of Allegiance.

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

The Journal of yesterday was read and approved.

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

COMMUNICATIONS

The Following Communication: (H.C. 209)

STATE OF MAINE

OFFICE OF THE SECRETARY OF STATE

June 14, 2023

To Robert B. Hunt, Clerk of the House, in the One Hundred and Thirty-first Legislature:

I, Shenna Bellows, Secretary of State, pursuant to the provisions of Title 3 MRS, Section 1, hereby certify that the following is the name and residence of the Representative-elect to the One Hundred and Thirty-first Legislature, in accordance with the tabulation submitted to the Governor on June 14, 2023:

DISTRICT 45 Abden S. Simmons, Waldoboro

In Testimony Whereof, I have caused the Great Seal of the State to be affixed, given under my hand at Augusta this fourteenth day of June in the year Two Thousand and Twenty-three.

S/Shenna Bellows

Secretary of State

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

The Following Communication: (H.C. 210)

STATE OF MAINE

DEPARTMENT OF THE SECRETARY OF STATE

I, the Secretary of State of Maine, certify that according to the provisions of the Constitution and Laws of the State of Maine, the Department of the Secretary of State is the legal custodian of the Great Seal of the State of Maine which is hereunto affixed and that the document to which this is attached is a true copy from the records of this Department.

In Testimony Whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta, Maine, on the fourteenth day of June in the year two thousand and twenty-three.

S/Shenna Bellows

Secretary of State

I, Shenna Bellows, Secretary of State, in accordance with the provisions of the proclamation issued by the Governor on March 15, 2023, calling for a Special Election to be held on June 13, 2023, to elect a State Representative in District 45 and having tabulated the returns of the votes cast:

REPORT AS FOLLOWS: In accordance with Title 21-A MRS Section 711, having tabulated the total number of state ballots cast, the number of voters participating in this election is 2,764; and that Abden S. Simmons of Waldoboro, having received a plurality of the votes cast, appears to have been elected a State Representative in the 131st Legislature in District 45:

Pieh, Wendy, Bremen (Democratic) 1,317

Simmons, Abden S., Waldoboro (Republican) 1,438

I, Shenna Bellows, Secretary of State, hereby certify that the foregoing report is a true tabulation of the votes cast at the Special Election, as reported to me on the returns from the municipalities of Bremen, Friendship, Waldoboro, Washington and State UOCAVA.

S/Shenna Bellows

Secretary of State

Received by the Governor on June 14, 2023

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

At this point, the Speaker announced the presence in the Hall of the House of Representative SIMMONS of Waldoboro.

Pursuant to her authority under House Rule 401.1, the Speaker assigned Representative SIMMONS of Waldoboro to seat 152.

At this point, Representative SIMMONS of Waldoboro was added to the roll call of the First Special Session of the 131st Legislature.

The SPEAKER: Before we begin, I would like to just make a few comments. First, I would really; I hope that you hear me when I say that I thank everyone for their hard work. These have been some very long days but please know that your dedication has not gone unnoticed. To ensure that we can continue our work in a decorous and professional manner, I wanted just to do a quick reset, to nudge back towards the middle of the road. As you've probably noticed, we've seen an uptick in Points of Order as well as some sliding during Roll Calls. Every so often, it's just important to do course corrections. Rules and decorum are in place to allow each and every one of you to represent your constituents to the best of your abilities. Without corrections, breaches of rules become the new norm, and that's not what is best for this institution.

So, a couple of reminders. First, our entire purpose of being here is to discuss the merits of the proposal before us; what's good about it, what's bad about it; nothing more. We are not here to discuss each other, each other's character, each other's motives. The process is designed to be impersonal. Secondly, Roll Calls are serious business. It is a permanent record of our deliberations and it should be treated with the highest respect. As such, the only things that should be happening during Roll Calls are voting or exiting the room.

There has been widespread wandering of the room as well as Members moving to other Members' seats, dangerously close to someone else's voting buttons. Your vote is for you and you alone and we are very, very protective of that.

We are all in this together and I appreciate all of you. I appreciate all that you have done to represent your constituents. We have many challenges to come and I am very confident that we can walk this shared path in the most professional and decorous manner. Again, I want to thank you all for your attention and your dedication to the people of the State of Maine.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Wesley Lapointe, of Hallowell, who won First Place in Photojournalism at the William Randolph Hearst Journalism Award Program 63rd National Writing, Photojournalism, Audio, Television and Multimedia Championship. We extend our congratulations and best wishes;

(HLS 475)

Presented by Representative SHAGOURY of Hallowell.

Cosponsored by Senator HICKMAN of Kennebec.

On **OBJECTION** of Representative SHAGOURY of Hallowell, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Hallowell, Representative Shagoury.

Representative **SHAGOURY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I am so thrilled to give this Sentiment today. I have known Wesley since he was a small child and watched him grow into a wonderful young man, an incredibly talented photographer.

The Hearst Championship that he won is not like a lot of awards. It's not like he sent in some of his best work in advance and competed against other people in that way. It's more like an episode of Survivor. On, I think it was a Tuesday, they all gathered all the contestants together, and these are the best college photojournalists in the country and they said you have three days to research, photograph and prepare an article. And in those three days, he created a pretty special piece on Alameda Island. They all had to be on this Alameda Island in San Francisco as well, they all had to do the same; something about that same island. And what he did was just striking and beautiful and he deserves the award and he deserves all of our applause. Thank you very much, Madam Speaker.

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

ORDERS

On motion of Representative COLLAMORE of Pittsfield, the following Joint Resolution: (H.P. 1291) (Cosponsored by Senator GUERIN of Penobscot and Representatives: DANA of the Passamaquoddy Tribe, GREENWOOD of Wales, JAVNER of Chester, NESS of Fryeburg, Senator: CURRY of Waldo)

JOINT RESOLUTION COMMEMORATING THE 80TH ANNIVERSARY OF THE STATE YMCA OF MAINE'S MAINE YOUTH AND GOVERNMENT PROGRAM

WHEREAS, the State YMCA of Maine's Maine Youth and Government program is the 4th-oldest program of its type in the United States; and

WHEREAS, at 10:30 a.m. on May 1, 1943, an assembly of participants in the first Maine Youth and Government program was held in the House chamber, and the Youth Speaker of the House Joelle Herbert of Lewiston opened the First Maine Junior Legislature sponsored by the State YMCA of Maine; and

WHEREAS, the session opened with a prayer and closed with Governor Sumner Sewall's addressing the participants, and during the session bills were introduced and assigned to committees, including bills creating youth hostels, requiring x-rays to test for tuberculin cancer, creating Maine's first trade school and developing a Maine youth commission; and

WHEREAS, today, the Maine Youth and Government program provides a unique experience in civic engagement with a 3-day conference in which students participate directly in a simulation of the democratic process; and

WHEREAS, the program develops involved citizens by offering students the opportunity to learn about a wide variety of issues, develop critical thinking skills and articulate their beliefs while engaging constructively with those who hold like and opposing views; and

WHEREAS, participants draft all legislation, serve in all leadership roles and learn about the process of passing legislation and how it is not as simple as it seems; and

WHEREAS, participants in the program learn leadership, experience the legislative process and have a chance to network with other student leaders from around Maine talking about the issues they see facing the State of Maine and its future; and

WHEREAS, in November 2023, the State YMCA of Maine will be celebrating the 80th anniversary of Maine's Youth and Government program; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the First Special Session, take this occasion to commemorate the 80th anniversary of the State YMCA of Maine's Maine Youth and Government program.

READ and ADOPTED.

Sent for concurrence.

On motion of Representative THORNE of Carmel, the following Joint Resolution: (H.P. 1292) (Cosponsored by Senator POULIOT of Kennebec)

JOINT RESOLUTION RECOGNIZING FLAG DAY, JUNE 14, 2023

WHEREAS, Flag Day, which is celebrated on June 14th, commemorates the adoption of the flag of the United States of America on June 14, 1777, by resolution of the Second Continental Congress; and

WHEREAS, President Woodrow Wilson issued a proclamation officially establishing June 14th as Flag Day and, on August 3, 1949, National Flag Day was established by an Act of Congress; now, therefore, be it

RESOLVED: That We, the members of the One Hundred and Thirty-first Legislature now assembled in the First Special Session, pause in our deliberations to encourage the people of the State of Maine to observe Flag Day as the anniversary of the adoption of the official flag of the United States of America.

READ.

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

Representative **THORNE**: Thank you, Madam Speaker. The flag over your right shoulder, Old Glory, the Spar-Spangled Banner, the one we hear about every morning when we meet in Session. The Stars and Stripes refer to the symbolic and artistic

elements of the flag. The stars represent each of the 50 States of the Union and a new star was added every time a new state joined our Union. The stripes represent 13 original colonies that fought for our independence in 1776. The colors of the flag symbolize the values of America. Blue indicates justice, perseverance and vigilance. The red stripes also represent hardiness and valor and the white stripes symbolize innocence and purity.

It took three Presidents to get Flag Day on the government's radar. President Woodrow Wilson issued a formal Proclamation for Flag Day in 1916 and President Calvin Coolidge did the same in 1927. However, as you heard previously in the Joint Resolution, in 1949, Congress finally approved and President Harry Truman signed the national observance of Flag Day on June 14th into law. Also, the birthdate of the Army. Coincidence? I think not. It is our custom to observe June 14th each year with ceremonies designed not only to commemorate the birth of our flag, but also to rededicate ourselves to the ideals for which it stands; the previous things I mentioned in the makeup of our flag. Truman said in his Proclamation; this beloved emblem, which flies above all our people of whatever creed or race, signalizes our respect for human rights and the protection such rights are afforded under our form of government. We identify the flag with almost everything we hold dear; peace, security, liberty, our families, our friends, our home. But when we look at our flag and behold it emblazoned with all of our rights, we must remember that it is equally a symbol of our duties, especially as legislators. Every glory that we associate with it is the result of duty alone. That was said by President Calvin Coolidge.

And, Madam Speaker, quickly, anecdotally, as a member of the United States Air Force and the military, we played *Reveille* every morning on an Air Force base. Everyone stopped what they were doing, stood to face the music or flag, and saluted while the National Anthem and "Reveille" played. We did it again at noon and then we did retreat at 5:00 on every Air Force base, on every Army post, on every military installation across the country, across the world, at 5 p.m. to pay respect to our flag. It's draped over the caskets of our fallen comrades, our repatriated remains that we witnessed many times on television during wars during hard times and we saluted and saw waving on the streets and flag poles and telephone poles up and down our State and our nation. We observe June 14th as Flag Day. Thank you, Madam Speaker.

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

REPORT OF COMMITTEE
Divided Report

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-505)** on Bill "An Act Making Unified Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2023, June 30, 2024 and June 30, 2025" (EMERGENCY)
(H.P. 164) (L.D. 259)

Signed:
Senator:

FARRIN of Somerset

Representatives:

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 "B" (H-506)** on same Bill.

Signed:

Senators:

CHIPMAN of Cumberland
NANGLE of Cumberland

Representatives:

WILLIAMS of Bar Harbor
ANKELES of Brunswick

READ.

On motion of Representative WILLIAMS of Bar Harbor, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-505)** 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-505)** and sent for concurrence.

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

ENACTORS

Emergency Measure

An Act Regarding Clearance for Occupancy Under the Lead Poisoning Control Act

(S.P. 602) (L.D. 1481)
(S. "A" S-278 to C. "A" S-249)

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

Emergency Measure

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

(S.P. 732) (L.D. 1817)
(S. "A" S-261 to C. "A" S-192)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 121 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Amend the Membership of the Maine-Canadian Legislative Advisory Commission and the New England and Eastern Canada Legislative Commission

(S.P. 788) (L.D. 1939)
(C. "A" S-285)

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

Emergency Measure

Resolve, to Install a Suicide Barrier on the Penobscot Narrows Bridge

(S.P. 454) (L.D. 1120)
(C. "A" S-234)

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. 122 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, to Designate the Route 15 Bridge Located in the Town of Kenduskeag the William S. Pullen Bridge

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

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 121 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act to Allow Game Wardens to Transfer Retirement Service, Allow Certain Employees of Participating Local Districts to Purchase Service Credit and Allow Transfer of Membership from the State Employee Retirement Plan to Another Plan

(S.P. 134) (L.D. 313)
(C. "A" S-280)

An Act to Allow Death by Suicide to Be Considered a Death While in the Line of Duty

(H.P. 272) (L.D. 439)
(C. "A" H-455)

An Act to Ensure Transparent and Accountable Temporary Nurse Agencies

(S.P. 205) (L.D. 451)
(C. "A" S-247)

An Act to Support the Safe Use of Bicycles and Roller Skis

(S.P. 210) (L.D. 456)

(C. "A" S-283)

An Act Regarding Investigations of Out-of-home Child Abuse and Neglect

(H.P. 312) (L.D. 495)
(C. "A" H-459)

An Act to Increase Availability and Security of Election Information on Government Websites

(S.P. 245) (L.D. 577)
(C. "A" S-252)

An Act to Improve Conditions for People Living in Recovery Residences by Requiring Approved Discharge and Transfer Policies

(H.P. 374) (L.D. 597)
(C. "A" H-460)

An Act to Ensure Consumer Protection from Resale Ticket Vendors

(H.P. 446) (L.D. 677)
(C. "A" H-452)

An Act to Require the Maine State Housing Authority to Report to the Legislature on the Housing Opportunities for Maine Fund

(S.P. 333) (L.D. 774)
(C. "A" S-253)

An Act to Require Direct Wine Shippers to Comply with Maine Beverage Container Laws

(H.P. 535) (L.D. 846)
(C. "A" H-430)

An Act Regarding Undesignated Ready-to-use Glucagon Rescue Therapies in Schools

(S.P. 364) (L.D. 867)
(C. "A" S-264)

An Act to Extend the Protections of the Maine Civil Rights Act to Actions That Cause Emotional Distress or Fear of Violence

(S.P. 365) (L.D. 868)
(C. "A" S-275)

An Act to Extend the Time Allowed Between a Regional School Unit Budget Meeting and a Budget Validation Referendum

(H.P. 658) (L.D. 1022)
(C. "A" H-456)

An Act to Increase the Number of Children a Family Child Care Provider May Care for Without Having to Be Licensed by the Department of Health and Human Services

(S.P. 430) (L.D. 1061)
(C. "A" S-243)

An Act Regarding the Bureau of Motor Vehicles

(S.P. 441) (L.D. 1072)
(C. "A" S-282)

An Act to Require Supervised Lenders or Mortgage Loan Servicers to Notify Private Mortgage Insurance Consumers of Their Rights Under the Federal Homeowners Protection Act of 1998

(S.P. 449) (L.D. 1080)
(C. "A" S-245)

An Act to Address Student Hunger and Nutrition Through Expanded Access to Free Milk in Schools

(S.P. 465) (L.D. 1128)
(C. "A" S-236)

An Act to Balance Renewable Energy Development with Natural and Working Lands Conservation

(H.P. 775) (L.D. 1227)
(C. "A" H-437)

An Act to Provide Information to Parents Involved in the Child Protective Services System and Ensure Funding in the Child Protective Services Contingency Fund

(H.P. 777) (L.D. 1229)
(C. "A" H-469)

An Act to Provide Reimbursement for the Health Care Expenses of All Retired Law Enforcement, Corrections and Search and Rescue Dogs

(H.P. 782) (L.D. 1234)
(C. "A" H-454)

An Act to Amend the Laws Regarding Real Property Investment by Credit Unions

(S.P. 514) (L.D. 1277)
(C. "A" S-246)

An Act to Streamline Income Verification Requests for Income Supplementation and Assistance Programs

(S.P. 519) (L.D. 1282)
(C. "A" S-279)

An Act to Make Permanent the Submission of Certain Reports Concerning Child Welfare to the Legislature

(S.P. 542) (L.D. 1325)
(C. "A" S-248)

An Act Regarding the Composition of the Budget Advisory Committee and the Finality of the Budget in the Franklin County Budget Process

(H.P. 864) (L.D. 1350)
(C. "A" H-432)

An Act to Impose an Expanded Prohibition on Lobbying for Former Executive Branch Employees

(H.P. 871) (L.D. 1357)
(C. "A" H-429)

An Act to Amend Limits on the Direct Shipment of Wine

(H.P. 885) (L.D. 1371)
(C. "A" H-431)

An Act to Regulate Insurance Carrier Prior Authorization Requirements for Rehabilitative and Habilitative Services

(S.P. 548) (L.D. 1383)
(C. "A" S-272)

An Act to Increase the State Minimum Wage to \$15 Per Hour

(H.P. 890) (L.D. 1376)
(C. "A" H-178)

An Act to Increase Transparency Regarding Certain Drug Pricing Programs

(S.P. 562) (L.D. 1395)
(C. "A" S-269)

An Act Regarding Penalties for Early Retirement for Certain Members of the Maine Public Employees Retirement System

(H.P. 954) (L.D. 1499)
(C. "A" H-397)

An Act to Provide a Private Support Organization for the Maine Maritime Academy

(S.P. 620) (L.D. 1556)
(C. "A" S-263)

An Act to Amend the Laws Governing Consumer-owned Water Utilities

(S.P. 660) (L.D. 1655)
(C. "A" S-259)

An Act to Prohibit the Sale of Tobacco Products in Pharmacies and Retail Establishments Containing Pharmacies

(H.P. 1003) (L.D. 1558)
(C. "A" H-425)

An Act to Define "Consent" and Amend the Law Governing Certain Sexual Offenses

(S.P. 662) (L.D. 1657)
(C. "A" S-256)

An Act to Allow Student Representation Within the Governance of the University of Maine System

(S.P. 661) (L.D. 1656)
(C. "A" S-241)

An Act to Advance the National HIV/AIDS Strategy in Maine by Broadening HIV Testing

(H.P. 1115) (L.D. 1736)
(C. "A" H-417)

An Act Regarding Insurance Coverage for Diagnostic and Supplemental Breast Examinations

(H.P. 1168) (L.D. 1836)
(C. "A" H-418)

An Act to Provide Critical Matching Funds for Child Care Services on the Northern Maine Community College Campus

(S.P. 817) (L.D. 1988)
(C. "A" S-240)

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, to Study the Establishment of a Substance Use Disorder Hotline

(H.P. 103) (L.D. 162)
(C. "A" H-428)

Resolve, to Review MaineCare Reimbursement for Electronic Consultation Services

(S.P. 168) (L.D. 361)
(C. "A" S-254)

Resolve, Directing the Maine-Canadian Legislative Advisory Commission and the New England and Eastern Canada Legislative Commission to Examine Restoring Passenger Rail from Boston to Montreal

(S.P. 312) (L.D. 754)
(C. "A" S-239)

Resolve, to Assess, Develop, Implement and Fund the Reuse of Existing Facilities at Dorothea Dix Psychiatric Center

(S.P. 356) (L.D. 859)
(C. "A" S-268)

Resolve, to Establish a Plan for Adding a 3rd Option for Gender on State Forms

(H.P. 589) (L.D. 942)
(C. "A" H-196)

Resolve, to Establish a Pilot Project to Provide Transportation to Medically Managed Withdrawal Sites

(H.P. 626) (L.D. 979)
(C. "A" H-458)

Resolve, to Require the Department of Health and Human Services to Provide Additional Reimbursement to Maine Veterans' Homes

(S.P. 404) (L.D. 985)
(C. "A" S-244)

Resolve, Directing the Commissioner of Economic and Community Development to Convene an Advisory Council to Improve the State's 10-year Economic Development Strategy

(H.P. 758) (L.D. 1198)
(C. "A" H-451)

Resolve, to Design and Implement a Community-based Model of Care for Adolescent Mental Health

(H.P. 830) (L.D. 1305)
(C. "A" H-457)

Resolve, Directing the Department of Education and the Maine Municipal Bond Bank to Amend Their Rules Regarding the Maine School Facilities Finance Program and the School Revolving Renovation Fund

(S.P. 591) (L.D. 1472)
(C. "A" S-238)

Resolve, Regarding the Status of Federal Grant Applications or Money Secured for the Funding of a Sexual Assault Kit Tracking Pilot Program

(S.P. 605) (L.D. 1484)
(C. "A" S-235)

Resolve, to Provide Grants to Promote Innovative Learning Strategies

(H.P. 965) (L.D. 1510)
(C. "A" H-413)

Resolve, to Study the Establishment of a Public Option Health Benefit Plan

(H.P. 1186) (L.D. 1856)
(C. "A" H-401)

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

Resolve, to Improve the Convenience of Public Restrooms

(H.P. 444) (L.D. 675)
(C. "A" H-474)

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

On motion of Representative ROBERTS of South Berwick, was **SET ASIDE**.

On further motion of the same Representative, the rules were **SUSPENDED** for the purpose of **RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-474)**.

On further motion of the same Representative, the rules were **SUSPENDED** for the purpose of **FURTHER RECONSIDERATION**.

On further motion of the same Representative, the House **RECONSIDERED** its action whereby **Committee Amendment "A" (H-474)** was **ADOPTED**.

The same Representative **PRESENTED** House **Amendment "A" (H-525)** to **Committee Amendment "A" (H-474)** which was **READ** by the Clerk.

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

Representative **ROBERTS**: Thank you, Madam Speaker. Just to clarify for any Members who may not have been here, this is just a technical fix that the Department of Professional and Financial Regulation brought to our attention to loop in the necessary Statute.

Subsequently, **House Amendment "A" (H-525)** to **Committee Amendment "A" (H-474)** was **ADOPTED**.

Committee Amendment "A" (H-474) as Amended by **House Amendment "A" (H-525)** thereto was **ADOPTED**.

The Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-474)** as Amended by **House Amendment "A" (H-525)** thereto in **NON-CONCURRENCE** and sent for concurrence.

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

CONSENT CALENDAR

First Day

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

(H.P. 259) (L.D. 426) Bill "An Act to Amend the Eligibility Criteria for Creditable Service in the Armed Forces of the United States Under the State Retirement System" Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-507)**

(H.P. 448) (L.D. 679) Bill "An Act Regarding Animals Abandoned by Tenants" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-508)**

(H.P. 828) (L.D. 1303) Bill "An Act to Exempt Boats and All-terrain Vehicles Purchased for Qualified Commercial Fishing or Commercial Farming from State Sales Tax" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-524)**

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

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

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act to Protect Maine Patients Regarding Hospital Price Transparency"

(H.P. 600) (L.D. 953)

Minority (5) **OUGHT TO PASS AS AMENDED** Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-400)** in the House on June 12, 2023.

Came from the Senate with the Majority (8) **OUGHT NOT TO PASS** Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act to Replace Certain Stigmatizing Language in the Maine Revised Statutes, Titles 22, 25 and 34-A with Respectful Language"

(H.P. 1104) (L.D. 1715)

Majority (7) **OUGHT TO PASS AS AMENDED** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-395)** in the House on June 12, 2023.

Came from the Senate with the Minority (6) **OUGHT NOT TO PASS** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

An Act to Require Transparency in Public Utility Advertising Expenditures

(S.P. 146) (L.D. 325)
(C. "A" S-155)

PASSED TO BE ENACTED in the House on June 12, 2023.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-155) AS AMENDED BY SENATE AMENDMENT "A" (S-284)** thereto in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

An Act to Protect Employee Freedom of Speech

(S.P. 702) (L.D. 1756)

PASSED TO BE ENACTED in the House on June 12, 2023.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-291)** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

An Act to Authorize Vaccine Administration by Pharmacy Technicians and Reduce Vaccine Administration Training Requirements for Pharmacists (EMERGENCY)

(H.P. 555) (L.D. 899)
(C. "A" H-202)

- In House, **PASSED TO BE ENACTED** on June 1, 2023.

- In Senate, **PASSED TO BE ENACTED** on June 6, 2023, in concurrence.

- **RECALLED** from the Governor's Desk pursuant to Joint Order, S.P. 832.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-202) AS AMENDED BY SENATE AMENDMENT "A" (S-281)** thereto in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Bill "An Act to Amend the Maine Human Rights Act Regarding Right-to-sue Letters"

(H.P. 637) (L.D. 1001)

Minority (5) **OUGHT NOT TO PASS** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** in the House on June 12, 2023.

Came from the Senate with the Majority (8) **OUGHT TO PASS AS AMENDED** Report of the Committee on **JUDICIARY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-195)** in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Bill "An Act Requiring the Installation of Electric Vehicle Charging Stations in New Commercial and Multifamily Parking Lot Construction"

(H.P. 329) (L.D. 524)

Majority (7) **OUGHT NOT TO PASS** Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY READ** and **ACCEPTED** in the House on June 12, 2023.

Came from the Senate with the Minority (5) **OUGHT TO PASS AS AMENDED** Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-122)** in **NON-CONCURRENCE**.

On motion of Representative ZEIGLER of Montville, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

COMMUNICATIONS

The Following Communication: (H.C. 207)

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

June 13, 2023

The Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, ME 04333

Dear Clerk Hunt,

Pursuant to my authority under Senate Rule 201.3, I have appointed Senator Donna Bailey of York County to the Joint Standing Committee on Judiciary, replacing Senator Jill Duson of Cumberland County.

This appointment is effective the date of this confirmation. Should you have any questions, please do not hesitate to contact me.

Sincerely,

S/Troy Jackson

President of the Senate

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 208)

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

June 14, 2023

Honorable Rachel Talbot Ross

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Talbot Ross:

Pursuant to Joint Rule 310, the Joint Standing Committee on Transportation has approved the requests for "Leave to Withdraw" by the following sponsor:

Senator Chipman of Cumberland

L.D. 407 An Act to Support Recreational Trails

L.D. 409 An Act to Improve Pedestrian Safety

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

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

The Following Communication: (S.C. 623)

**MAINE SENATE
131st LEGISLATURE**

OFFICE OF THE SECRETARY OF THE SENATE

June 13, 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 Judiciary:

- Erika S. Bristol of Brunswick for appointment, as a District Court Judge,
- The Honorable Cynthia L. Montgomery of South Gardiner for reappointment, as a District Court Judge,
- Katherine E. Tierney, Esq. of Yarmouth for appointment, as a District Court Judge,
- The Honorable E. Allen Hunter of Westmanland for reappointment, as an Active Retired Justice of the Superior Court.

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

READ and **ORDERED PLACED ON FILE.**

The Following Communication: (S.C. 627)

**MAINE SENATE
131st LEGISLATURE**

OFFICE OF THE SECRETARY OF THE SENATE

June 13, 2023
Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk Hunt:

Please be advised the Senate today insisted to its previous action whereby it accepted the Minority Ought Not to Pass Report from the Committee on Environment and Natural Resources on Bill "An Act to Reduce Plastic Packaging Waste" (H.P. 1055) (L.D. 1645) in non-concurrence.

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

READ and **ORDERED PLACED ON FILE.**

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-221)** on Bill "An Act to Update Criminal Indictment Procedures and Expand the Provision of Counsel to Certain Indigent Defendants"

(S.P. 642) (L.D. 1625)

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

SALISBURY of Westbrook

HASENFUS of Readfield

LOOKNER of Portland

MADIGAN of Waterville

MATHIESON of Kittery

MILLIKEN of Blue Hill

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

Signed:

Senators:

HARRINGTON of York

LaFOUNTAIN of Kennebec

Representatives:

ARDELL of Monticello

NEWMAN of Belgrade

NUTTING of Oakland

PERKINS of Dover-Foxcroft

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-221).**

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (S-221)** 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-221)** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-165)** on Bill "An Act to Improve School Safety and Preparedness Through Comprehensive Health and Safety and Emergency Management Planning"

(S.P. 384) (L.D. 892)

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

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

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

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

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-165)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-165)** 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-165)** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Support School Choice by Establishing Empowerment Scholarship Accounts"

(S.P. 723) (L.D. 1798)

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-294)** on same Bill.

Signed:

Senator:

LIBBY of Cumberland

Representatives:

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

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

READ.

Representative BRENNAN of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

Representative **SAMPSON**: Thank you, Madam Speaker. This is just simply an educational savings account bill. This is a school choice option. Thank you.

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

ROLL CALL NO. 214

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, 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, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Adams, Lavigne.

Yes, 82; No, 66; Absent, 2; Vacant, 0; Excused, 1.

82 having voted in the affirmative and 66 voted in the negative, with 2 being absent and 1 excused, 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 Not to Pass** on Bill "An Act to Require the Commissioners of the Public Utilities Commission to Be Popularly Elected"

(S.P. 570) (L.D. 1452)

Signed:

Senators:

LAWRENCE of York
HARRINGTON of York

Representatives:

ZEIGLER of Montville
BABIN of Fort Fairfield
BOYLE of Gorham
DUNPHY of Embden
FOSTER of Dexter
GEIGER of Rockland
KESSLER of South Portland
PAUL of Winterport
RUNTE of York

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-295)** on same Bill.

Signed:

Senator:

GROHOSKI of Hancock

Representative:

WARREN of Scarborough

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

READ.

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

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-266)** on Bill "An Act to Build Maine's Economy by Supporting Child Care for Working Families"

(S.P. 690) (L.D. 1726)

Signed:

Senators:

BALDACCI of Penobscot
INGWERSEN of York

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-267)** on same Bill.

Signed:

Senator:

MOORE of Washington

Representatives:

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

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-266)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-266)** 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-266)** in concurrence.

Majority Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-287)** on Bill "An Act to Create the New Maine Resident Service Coordination Program in the Department of Economic and Community Development"

(S.P. 346) (L.D. 787)

Signed:

Senators:

CURRY of Waldo
RAFFERTY of York

Representatives:

ROBERTS of South Berwick
CROCKETT of Portland
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:

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

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-287)**.

READ.

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

Representative COLLAMORE of Pittsfield **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. I stand in opposition of this bill for one main reason, and I'll be quick, to the point. It's very

duplicative. A lot of communities already have this position within their CAP agencies. This money, the fiscal note on this is over \$300,000 just to implement this position and it would be better served funneling that money down to the local community so they can deal with our new Mainers that are arriving. This would literally just add another layer with no solution and I encourage the Members to follow my light. Thank you so much.

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. 215

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, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, 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, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Adams, Hepler, Lavigne, Paulhus.

Yes, 80; No, 66; Absent, 4; Vacant, 0; Excused, 1.

80 having voted in the affirmative and 66 voted in the negative, with 4 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-287)** 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-287)** in concurrence.

Majority Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-296)** on Resolve, to Establish the Blue Economy Task Force to Support Maine's Emergence as a Center for Blue Economy Innovation and Opportunity in the 21st Century (EMERGENCY)

(S.P. 523) (L.D. 1286)

Signed:

Senators:

CURRY of Waldo
RAFFERTY of York

Representatives:

ROBERTS of South Berwick
CROCKETT of Portland
LaROCHELLE of Augusta
SAYRE of Kennebunk
WHITE of Waterville

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

Signed:

Senator:

GUERIN of Penobscot

Representatives:

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

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-296)**.

READ.

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

Representative COLLAMORE of Pittsfield **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 Dover-Foxcroft, Representative Perkins.

Representative **PERKINS**: Thank you, Madam Speaker, Fellow Members of the House. I rise in opposition to the motion. Blue economy initiatives are the invention of the World Economic Forum and are now directed by the United Nations Sustainable Blue Economy Forum. If passed, this bill would engender management policies that place the goals of global entities above the welfare of Maine fisheries, our fishermen and their families. It will put emphasis on policies that would further hinder their ability to make a living and feed their families and would have a devastating impact on our fishing economy.

In testimony on this bill, a Member of this Legislature, when comparing the weight of the economic and environmental impacts of such blue economy policies, asked the Committee, and I quote; to provide more emphasis on the need to protect the ocean and shore environments. Our fisheries and fishermen have taken enough of a beating, our economy has taken enough of a beating. I humbly ask that we reject this bill and stand with our Maine fishermen over interests outside of our State and our nation. 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. 216

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, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker,

Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, 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, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Adams, Hepler, Lavigne, Zeigler.

Yes, 80; No, 66; Absent, 4; Vacant, 0; Excused, 1.

80 having voted in the affirmative and 66 voted in the negative, with 4 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE. Committee Amendment "A" (S-296)** 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-296)** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-274)** on Bill "An Act to Prevent Dating Partner Abuse by Including Dating Partners in the Scope of Domestic Violence Crimes"

(S.P. 579) (L.D. 1461)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York
BRAKEY of Androscoggin

Representatives:

MOONEN of Portland
ANDREWS of Paris
HAGGAN of Hampden
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:

HENDERSON of Rumford
POIRIER of Skowhegan

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (S-274)** Report.

Came from the Senate with the Majority **UGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-274)**.

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (S-274)** 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-274)** in concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-251)** on Bill "An Act to Preserve Heating and Energy Choice by Prohibiting a Municipality from Prohibiting a Particular Energy System or Energy Distributor"

(S.P. 386) (L.D. 894)

Signed:

Senators:

NANGLE of Cumberland
BALDACCI of Penobscot
LYFORD of Penobscot

Representatives:

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

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

Signed:

Representatives:

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

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

READ.

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

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

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

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

Representative **GREENWOOD**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, this important legislation arises out of a simple desire to ensure that Maine businesses and individuals can continue to be able to choose the form of heating they need and can afford. The goal of access to affordable heating is a bipartisan goal. That was the subject of this very first goal of this session, LD 1. That bill was about allocating millions of dollars in State assistance to Maine people to pay for their heating. This bill is about ensuring that Mainers can continue to choose the form of heating that they can best afford. This bill also helps to ensure that developers of affordable housing can choose the heating

sources that are most affordable for the housing that is critical to Maine people. This bill was supported by the State and Local Government Committee with unanimous Ought to Pass Report and had complete bipartisan support, but before the end of that session, politics had interfered.

Individual heating choice is essential for affordability. We can all agree that high energy costs are among the most difficult issues that are facing Mainers today. Many are struggling to pay their utility bills and are being forced to choose between other monthly costs of equal importance, like rent, mortgage, feeding their families. As inflation takes a growing bite out of our household finances of every Maine family and heating costs have gone up as a result of the global fuel constraints, a growing number of Maine people and businesses have sought to diversify their heating options, from solar panels to wood pellets to propane to natural gas. In many cases, Mainers use multiple sources of heat to heat their homes and offices that they switch among based on costs, weather and other variables. This choice is essential in making sure that Mainers can afford to heat their homes, Madam Speaker.

LD 894 helps to ensure individual choice. This bill would ensure that municipalities in Maine do not pass ordinances that directly or indirectly prohibit a consumer from choosing their own heating or energy systems. This bill safeguards that individual choice so that Mainers can continue to do what makes sense for them economically and environmentally. This bill is similar to a previous bill that is now law that prohibits municipalities from banning solar projects. So, if your argument about local control, why is it that we can pass a bill that prohibits municipalities from banning a solar project but not one from banning the heating system of one's choice?

This bill helps ensure affordable housing. Heating is a key part to the cost of building and maintaining housing in Maine and as housing prices go up, Mainers struggle to afford rent and mortgage payments; if they can find housing at all, that is. Mainers need to encourage new home construction that is affordable. Without such choice, home prices go up and up and work against the efforts to build affordable housing in Maine.

LD 894 is technology neutral. LD 894 does not promote or benefit any particular type of fuel, of heating equipment. It preserves the ability to install solar panels, heat pumps, propane heaters. Such diversification in resource is critical to addressing the short-term and long-term needs of our State and our businesses. And what they may be the most desirable or least expensive heating option. While Maine is working to electrify its heating sector, most reliable projections suggest that Maine and the region is a long way away from having enough renewable energy to electrify the heating sector, the transportation sector and then to add enough renewable energy for the current uses of electricity. At the same time, new technologies in the natural gas arena allow for renewable natural gas that can make a significant dent in existing methane emissions. Given these very real challenges facing our energy sector, the best way to ensure affordable heating and sound environmental choices is to ensure heating choice. This all-of-the-above approach is the essence of LD 894.

In closing, a recent Critical Insights poll asked Mainers if they, quote; do you believe State government should pass laws to let Mainers choose how to heat their homes and businesses, which may include electric heating systems but could also include propane, oil, solar, wood and natural gas. Our constituents voted 91% yes. For that reason, I oppose the pending motion. Thank you.

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

Representative **STOVER**: Thank you, Madam Speaker. Madam Speaker, LD 894 limits home rule and the ability of local communities to decide what works best for their residents. Communities should not be prohibited from setting local public health and safety standards. This bill could allow someone to install a system that is in conflict with a building design or local neighborhood. This is a reaction to actions taken in one community. If individuals do not like those actions, they should've been taken up at the local level instead of using State Law to overrule the will of the residents. The Governor's Office on Energy, municipalities and cities across Maine, the Maine Municipal Association, many environmental organizations and youth climate leaders all testified against this bill.

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. 217

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, Jauch, Kessler, Kuhn, Landry, Lanigan, LaRochelle, Lookner, Madigan, Malon, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, Williams, Worth, Zager, Zeigler, Madam Speaker.

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

ABSENT - Adams, Hepler, Perry J.

Yes, 76; No, 71; Absent, 3; Vacant, 0; Excused, 1.

76 having voted in the affirmative and 71 voted in the negative, with 3 being absent and 1 excused, and accordingly the Minority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-286)** on Resolve, to Create the Commission to Study the Operations of the Maine Legislature (EMERGENCY)

(S.P. 436) (L.D. 1067)

Signed:

Senators:

BALDACCI of Penobscot
LYFORD of Penobscot

Representatives:

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

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

Signed:

Senator:

NANGLE of Cumberland

Representatives:

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

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

READ.

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

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

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

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

Representative **GREENWOOD**: Thank you, Madam Speaker. This is a study that would basically study how we operate here, ways to improve. I think maybe this Session might be an example as to, you know, with the number of bills we have, are there things we can do to help flow and improve our process. It basically asks both presiding officers to put Members on a study commission which would also include former Members, a lobbyist, et cetera. It's just a way to study maybe ways we can improve how we operate here. Thank you, Madam Speaker.

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

Representative **STOVER**: Thank you, Madam Speaker. I think that we all appreciate that we can do things more efficiently, more effectively, that we can always find room for improvement. This bill calls to create a commission to study the operations of the Maine Legislature. We already have a Body, the Legislative Council, that oversees the Legislature and can advise to the changes that we can make to create more efficiencies for ourselves. Thank you.

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. 218

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, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold,

Stover, Supica, Terry, Warren, 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, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Hasenfus, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Riseman, Rudnicki, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White B, White J, Wood, Woodsome.

ABSENT - Adams, Hepler.

Yes, 78; No, 70; Absent, 2; Vacant, 0; Excused, 1.

78 having voted in the affirmative and 70 voted in the negative, with 2 being absent and 1 excused, and accordingly the Minority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-289)** on Bill "An Act to Fund the Recommendations of the Mountain Division Rail Use Advisory Council"

(S.P. 568) (L.D. 1450)

Signed:

Senators:

CHIPMAN of Cumberland
FARRIN of Somerset

Representatives:

ALBERT of Madawaska
ANKELES of Brunswick
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 Not to Pass** on same Bill.

Signed:

Senator:

NANGLE of Cumberland

Representative:

WILLIAMS of Bar Harbor

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-289)**.

READ.

On motion of Representative WILLIAMS of Bar Harbor, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-289)** 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-289)** in concurrence.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-493)** on Bill "An Act Regarding Compensation Fees and Related Conservation Efforts to Protect Soils and Wildlife and Fisheries Habitat from Solar and Wind Energy Development and High-impact Electric Transmission Lines Under the Site Location of Development Laws"

(H.P. 1206) (L.D. 1881)

Signed:

Senators:

INGWERSEN of York
BLACK of Franklin
HICKMAN of Kennebec

Representatives:

PLUECKER of Warren
COSTAIN of Plymouth
CRAY of Palmyra
GUERRETTE of Caribou
HALL of Wilton
HEPLER of Woolwich
OSHER of Orono
SHAW of Auburn

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

Signed:

Representatives:

JACKSON of Oxford
JAUCH of Topsham

READ.

On motion of Representative PLUECKER of Warren, **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 Prohibit Government Officials from Maintaining Records Related to Firearms Owners"

(H.P. 401) (L.D. 624)

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-522)** on same Bill.

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.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act to Enhance Privacy and Prohibit Shipping Companies from Maintaining Records of Firearm and Ammunition Shipments"

(H.P. 590) (L.D. 943)

Signed:

Senators:

BEEBE-CENTER of Knox
LaFOUNTAIN of Kennebec

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-513)** on same Bill.

Signed:

Senator:

HARRINGTON of York

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.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act to Require Reporting and Training About Domestic Terrorism Threats"

(H.P. 610) (L.D. 963)

Signed:

Senators:

BEEBE-CENTER of Knox
HARRINGTON of York
LaFOUNTAIN of Kennebec

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 to Pass** on same Bill.

Signed:

Representatives:

LOOKNER of Portland
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 **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act to Remove Restrictions in the Provisions of Law Relating to No-knock Warrants"

(H.P. 682) (L.D. 1087)

Signed:

Senators:

BEEBE-CENTER of Knox
LaFOUNTAIN of Kennebec

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-523)** on same Bill.

Signed:

Senator:

HARRINGTON of York

Representatives:

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

READ.

Representative SALISBURY of Westbrook moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative NUTTING of Oakland **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 Albion, Representative Cyrway.

Representative **CYRWAY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Duty to serve and protect. I feel compelled to save lives. This bill, LD 1087, does just that. Years ago, I was asked to swap days off by Deputy Chase. I worked his day and he needed it off. Then Deputy Chase worked mine. It so happened during that day, Winslow P.D. requested Deputy Chase's assistance to complete a no-knock search warrant. In doing so, he was assigned the backdoor entrance and was shot through the sliding glass door. The bullet hit a half an inch from the top of his vest, which saved his life. This would've been me. My 20 seconds is up.

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

Representative **HASENFUS**: Thank you, Madam Speaker. The police are at your door, how are you going to respond? Do you have enough time to get dressed? Do you have enough time to get downstairs? Where are you in your house? Should you say please, I'm coming, stop, don't shoot? Well, your time is up because now they're coming through your front door. That was 20 seconds. That is what current Law asks for the timeframe before an officer enters your house after

getting a no-knock warrant. However, there are two important things to understand about the current Law. One is that if there is a probable cause to believe that an officer may be in danger if you wait 20 seconds, then a judge may authorize a no-knock warrant and one most likely will be issued and you don't need to knock. The second very important piece is that if the intelligence from the police officer and the investigators miss something and a no-knock warrant was not requested, just a simple warrant asking, you know, for the officer to knock and announce, and then there is something that transpires, Section 4 of the Statute specifically states that Subsections 2 and 3; Subsections 2 and 3 are the no-knock warrant requirement sections; Subsections 2 and 3 do not preclude entry by a law enforcement officer in accordance with a recognized exception to the warrant requirement, including, but not limited to, exigent circumstances. Exigent circumstances include the health and safety of another individual or officer and the destruction of evidence.

I believe that this was very well thought through when it was passed in the 130th. It properly balanced the interests of a homeowner to be protected and secure in their house with the interests of protecting officers and proceeding forward with criminal investigations and, for that reason, I hope that this motion will succeed. Thank you.

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

Representative **ARDELL**: Thank you, Madam Speaker, and Ladies and Gentlemen of this House. Regarding entry when serving a search warrant, the U.S. Supreme Court has ruled that, quote, reasonableness, close-quotes, was the only appropriate yardstick in gauging what is an appropriate length of time when police enter after a knock and announce when serving a search warrant. The Supreme Court ruled officers with a warrant may force entry if they reasonably believe they have been denied entry to a house or that evidence is being destroyed. A no-knock entry is justified if police have reasonable suspicion that knocking and announcing their presence would be dangerous or futile or inhibit the effective investigation of the crime. The intent of search warrants, which are a judicially approved suspension of the subject's Fourth Amendment right to protection from unreasonable search and seizure, is to secure evidence or secure a person for arrest.

Current Maine Law, new as of the 130th Legislature, sets the minimum standard police wait for 20 seconds before forced entry can be used. Twenty seconds in every circumstance is simply too long. When serving a search warrant on a small apartment, a camper or a trailer, 20 seconds provides a subject time to prepare for an armed response or destroy the very evidence the warrant seeks to find and seize. Twenty seconds may not be enough to search a mansion or a closed business, however, and that's where the reasonableness standard set by the U.S. Supreme Court comes into play. It allows reasonable officers to apply their actions to the situation at hand, whether it be a camper or a 20,000-square-foot warehouse.

This bill serves to correct that mistake made by the 130th Legislature and return to the reasonableness standard set by the U.S. Supreme Court. Other common-sense provisions in the bill set the policies of the lead law enforcement agency regarding body cameras to be the policy of other officers at the warrant. While I agree treating people with fairness and decency is good government policy, there is no dignity in a search warrant and other considerations such as human safety and recovery of evidence must prevail. With these thoughts in mind, I hope this Body follows me and opposes the Ought Not to Pass motion. Thank you.

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

Representative **SALISBURY**: Thank you, Madam Speaker. This bill, as is mentioned, came up in the 130th Legislature and I just want to read some testimony from the Attorney General Frey. Warrants that may be executed without requiring law enforcement to announce themselves, so-called no-knock warrants, have come under a long-overdue scrutiny due to the role and the use of such warrants that played in deaths that we've all heard, but I don't need to go over those. But placing reasonable limitations on no-knock warrants, which there was a lot of work done in the 130th Legislature, which put in some clear and consistent standards and laws and policies were good policies that happened as a result of this bill in the 130th, and so, that is why I support the motion Ought Not to Pass changing that Law. Thank you.

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

ROLL CALL NO. 219

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

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

ABSENT - Adams, Faulkingham, Hepler.

Yes, 86; No, 61; Absent, 3; Vacant, 0; Excused, 1.

86 having voted in the affirmative and 61 voted in the negative, with 3 being absent and 1 excused, and accordingly 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 to Pass as Amended by Committee Amendment "A" (H-512)** on Bill "An Act to Prohibit the Sale or Possession of Rapid-fire Modification Devices"

(H.P. 854) (L.D. 1340)

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

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

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

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.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-504)** on Resolve, to Establish the Commission to Recommend Cost-effective, Safe, Administrable and Healthful Programs to Reduce Violence in Prisons and Jails (EMERGENCY)

(H.P. 995) (L.D. 1543)

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

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

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

Signed:

Senator:

HARRINGTON of York

Representatives:

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

READ.

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

Representative NUTTING of Oakland **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. 220

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, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, 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, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Adams, Hepler.

Yes, 82; No, 66; Absent, 2; Vacant, 0; Excused, 1.

82 having voted in the affirmative and 66 voted in the negative, with 2 being absent and 1 excused and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-504)** 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**.

Representative **MOONEN** of Portland **PRESENTED House Amendment "A" (H-537)**, which was **READ** by the Clerk.

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

Representative **MOONEN**: Thank you, Madam Speaker. Very simply, this amendment removes the emergency clause from the bill and I ask you to support it. Thank you very much.

Subsequently, **House Amendment "A" (H-537)** was **ADOPTED**.

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-504)** and **House Amendment "A" (H-537)** and sent for concurrence.

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

Majority Report of the Joint Select Committee on **HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-527)** on Bill "An Act to Foster Stable and Affordable Home Ownership in Mobile Home Parks by Amending the Laws Relating to the Sale of Mobile Home Parks"

(H.P. 1239) (L.D. 1931)

Signed:

Senators:

PIERCE of Cumberland
VITELLI of Sagadahoc

Representatives:

GERE of Kennebunkport
GATTINE of Westbrook
GOLEK of Harpswell
LOOKNER of Portland
RANA of Bangor
STOVER of Boothbay

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

BLIER of Buxton
BRADSTREET of Vassalboro
CAMPBELL of Orrington
MORRIS of Turner

READ.

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

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

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

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

Representative **BRADSTREET**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. You know, on the Housing Committee, we've been working very well and very collaboratively regardless of our party affiliation. We worked together to what we thought was to distribute the funds that the State of Maine has so generously donated to attack the housing crisis in the State of Maine. However, then this bill, LD 1931, came along and things changed. Where we had been distributing taxpayer monies before, now this particular bill goes into the realm of taking rights away from private property owners and I think that's a bad situation that we're looking at here.

The bill calls for anyone looking to sell a manufactured housing community, before they sell it, they have to notify the tenants and give them 60 days to organize, if they so wish. And then, after that, if they do organize, then another 90 days to come up with financing if they want to purchase the community. That sounds fine and good but, however, what happens to the particular owner of the community when he has other people waiting in line to buy and they're ready to purchase and they find out they can't do that for up to five months? They're going to be scared away and the end result of this is going to be that the values of their communities are going to be decreased. And I know we hear a lot about corporate ownership of these communities but, by and large, they're owned by small mom-and-pop operations in the State of Maine and these

communities are their retirements. Madam Speaker, if somebody were to come and take away part of your retirement just because we could, is that what we should do? I don't think so. I don't think that's good for anybody. The decrease in value is going to be deleterious to their livelihoods and that's just not right. The bill includes some portions that also raise some questions about whether or not they violate the Maine Real Estate Ethics Code in requiring confidential information be given to a purchaser, a potential purchaser, about what another purchaser has offered for the community. Regardless of whether or not the real estate agent or the owner is required to divulge that information, that still calls into the question the ethics of the fair market transaction. This is just not right.

You know, I understand the attractiveness of this. It seems like it'd be nice to help people own their own communities but some of the special interests that got involved with this, they're looking for their special interest. As a matter of fact, they make lots of money on this, it's; you can see that evidenced by how they actually helped to write the bill and write a lot of the amendments that we saw coming out of the Committee. We felt we had an agreement. The large reasoning behind this bill was because community tenants didn't realize when a community was going to be sold. So, we agreed in principle to; and actually, specifically that if a community was going to be offered for sale, the tenants would be notified, 60 days' notice, and during that 60 days, the owner could not enter into a purchase and sales agreement with anybody else. What other type of business agrees to that?

We thought we had an agreement, and we did, until we sat down and heard the motion and then everything fell apart. It's unfortunate we're at this point, Madam Speaker, but this is just not the way for us to go in the State of Maine. I hope you join me in voting against this motion. Thank you, Madam Speaker.

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

Representative **BLIER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Face value, I don't disagree with this. You're just giving the opportunity of mobile home park, people living there, the opportunity to own their mobile home park. Face value, I don't disagree with that. But if you were the mobile home owner and I was the tenant of the mobile home park, all of you in here, every single residential home you own, all your camps, everything that you own, if you had somebody that gave you a purchase price, you would have to write me a letter telling me that you sold it for X amount of dollars and I would have 60 days before I could tell you if I was buying it. On the 60th day, I go up to --

The SPEAKER: The Member will defer. The Chair will remind you to direct your comments directly to the Chair. The Member may proceed.

The Chair reminded Representative BLIER of Buxton to address his comments toward the Speaker.

Representative **BLIER**: Thank you, Madam Speaker. So, if you have a contract, you would have to give me a 60-day notice in order for giving me the opportunity to buy. After 60 days, if I came to you and said Madam Speaker, I'd like to buy your house, you would then have to give me 90 days in order to get financing. Now, keep in mind, I have not given you any type of financial resources whatsoever. After the five months, if I decide I don't get financing or I choose not to buy your house, I am out nothing. You, then, have to go out and get a new purchase on your home. Now, if you hire a broker, Madam Speaker, and the broker brings you an offer where the buyer says I want my contract to be confidential, you have to disclose

that contract to me. You now have a lawsuit because you broke the contract. Another financial issue for you, Madam Speaker.

Now, the worst part about this is this; you have to negotiate in good faith. Good faith is five months. If you go to the doctor's, Madam Speaker, and God forbid, you get sick and, you know what, you have three months to live, you still have two more months before you can sell your park because you have to negotiate in good faith. Or if you have a partner that gets sick or dies and you can't maintain those camps or properties, guess what, you still have to wait five months because you have to negotiate in good faith. And the worst part about this bill is that the corporation that's going to help finance the trailer park owners, they're nonprofit. The difference between a nonprofit and a for-profit company is a for-profit company pays taxes. That's the only difference. They both make money. And after you purchase the trailer park and you have that trailer in that trailer park and you sell your trailer, you get no value for the land because you don't ever really own the land, the company that's financing, the Rock Corporation, they don't technically own the land, they just charge you fees for the rest of your life. So, at the end of the day, you have no value in the land that your trailer sits on. So, face value, yeah, I think we should help the trailer park owners, but in reality, this is a disaster. Follow my light. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Kennebunkport, Representative Gere.

Representative **GERE**: Thank you, Madam Speaker. Madam Speaker, I agree with my good friend from; the Representative from Vassalboro that the Housing Committee has worked together very well and will continue, in my opinion, to work together very well. And we did have robust discussions on this bill.

Madam Speaker, 8% of Maine's housing stock is manufactured housing. And much of that is naturally occurring affordable housing. It's not housing that has any requirements in deed, covenants or restrictions to stay affordable and it can cost upwards of \$10,000, between \$5,000 and 10,000 typically, to move your mobile home unit from the pad where it has been installed. In those situations, when a mobile home park is sold, the folks living there can be in a really tight spot in terms of not being able to afford the increased rents and, at the same time, not being able to afford to move their unit. This bill gives folks time. It gives folks time when they face that situation to first be notified with the 60-day notification, and it gives them the chance to decide amongst themselves if they would like to get together to try to make an offer on their mobile home park. And then once they are in that process, the bill also requires that the mobile home park owner simply negotiate with them in good faith. That means there is no right of first refusal, there is no requirement and the bill now explicitly states through an amendment that we worked on with our colleagues, the bill explicitly states that the owner is not required to accept the offer of the residents. And then, and only then, if the owner accepts the offer of the residents, then there is a 90-day financing period. So, this really does focus on a challenge that's being experienced both in Maine and across the country where investors are coming in and purchasing these parks and it gives folks the time they need to try and save their homes. So, an important bill and I ask everyone to please vote with the pending motion. Thank you.

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

Representative **BRADSTREET**: Thank you for allowing me to speak once again, Madam Speaker. I think, you know, in a way, the previous speaker made my case. This industry has done a lot within the private realm to provide affordable housing

for residents of the State of Maine; unsubsidized, I might add. It's kind of a diamond in the rough for a lot of people. But what we're doing here inadvertently will be undermining that. Now, we heard a lot about the success stories in some of these; and there are some success stories, to be sure. I wouldn't deny that at all. There are a few disasters, too, that if you look at some of the testimony, you'll see it's not all a great report. I also want to point out one more thing. You can already do this in the State of Maine, people have done it already. There are several of them scattered around here, there's one right in the city of Augusta, a community-owned residence under this existing law. Why do we need to change it and undermine what's happened and has been so good for so long? I know there are some instances where corporate entities have probably not treated their people well, so, what are we going to do, by punishing the mom-and-pops who are trying to do something and do the right thing and actually provide for their own retirement. 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. 221

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, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Poirier, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, 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, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, O'Connell, Parry, Paul, Perkins, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Adams, Hepler.

Yes, 81; No, 67; Absent, 2; Vacant, 0; Excused, 1.

81 having voted in the affirmative and 67 voted in the negative, with 2 being absent and 1 excused, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-527)** 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-527)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-479)** on RESOLUTION, Proposing an Amendment to Article X of the Constitution of Maine Regarding the Publication of Maine Indian Treaty Obligations

(H.P. 48) (L.D. 78)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

MOONEN of Portland
ANDREWS of Paris
HAGGAN of Hampden
HENDERSON 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 RESOLUTION.

Signed:

Senator:

LYFORD of Penobscot

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-479)** Report.

READ.

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

The Resolution was **READ ONCE**. **Committee Amendment "A" (H-479)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolution was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-479)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-521)** on Bill "An Act to Facilitate the Installation of Safe Haven Baby Boxes at Hospitals, Law Enforcement Facilities and Fire Departments"

(H.P. 335) (L.D. 530)

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford
LEE of Auburn
MORIARTY of Cumberland
POIRIER of Skowhegan

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

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

MOONEN of Portland
KUHN of Falmouth
RECKITT of South Portland
SHEEHAN of Biddeford

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-521)** Report.

READ.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act to Amend the Maine Bail Code"

(H.P. 824) (L.D. 1299)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York
BRAKEY of Androscoggin

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-517)** on same Bill.

Signed:

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford
POIRIER of Skowhegan

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

READ.

Representative MOONEN of Portland moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative POIRIER of Skowhegan **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 would like to recognize the Representative from Hampden, Representative Haggan.

Representative **HAGGAN**: Thank you, Madam Speaker. I've received a lot of phone calls from Police Chiefs lately. The old cash bail system that was changed by the 130th has really caused a lot of problems for law enforcement in recent memory. This new no-cash bail system for class E crimes has given them most of the problems that they're complaining of. They seem to

be arresting people and they're right out on the streets again. So, it's multiple, multiple, multiple arrests, which is causing grief for towns across the State of Maine. So, they've expressed to me the desire to go back to the way it is. So, I would please ask everyone to oppose this motion. Thank you very much.

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, the intent of this bill is, of course, to reverse recent changes in the Maine Bail Code. Across the country, bail reform using mechanisms such as cashless bail and requiring judges to use the least-restrictive bail possible has actually not worked out as it was supposed to. They treat repeat offenders as not being a big deal and effectively remove a lot of judicial discretion. Like similar reforms in New York, the reforms here have emboldened repeat offenders and reduced consequences, resulting in a negative impact on public safety. Officers routinely encounter repeat offenders with lengthy criminal records and numerous sets of bail and law enforcement has limited tools to deter further repeat offenses. No random searches, reduced bail or no bail at all and virtually no way to enforce conditions of bail. Madam Speaker, our bail code was not broken until we tried to fix it. I ask you join me and oppose the pending motion and allow law enforcement and our courts to have discretion and to help deter crime. Thank you.

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

Representative **MOONEN**: Thank you, Madam Speaker. As previously alluded to, this bill seeks to repeal legislation that was passed in the 130th. That legislation did a few key things. It eliminated cash bail for many class E crimes but not crimes related to domestic violence, crimes against a household or family member or dating partner or when a person was out on bail and accused of committing a new crime. That legislation also eliminated random searches for drugs or alcohol unless a person was participating in a specialty court like a drug or veteran court, and it required judges to put in writing if they impose cash bail why they chose the amount of bail that they were ordering. At the public hearing, we heard from one Police Chief who was frustrated with this law and about repeat offenders but it became clear that it really; his frustration really had nothing to do with this law because repeat offenders are not impacted by this. If someone commits a new crime while out on bail, then their bail should be revoked and that's a violation of their bail conditions. So, I want to add one final point. We also heard from the Maine Prosecutors Association. I want to quote from their testimony. They said, quote; none of the changes that took place in the 130th legislative Session have had any adverse unintended consequences on public safety or public safety concerns that would require repeal of the 130th legislative Session's amendment to the Bail Code. So, for those reasons, I ask you to support the Ought Not to Pass motion. Thank you, Madam Speaker.

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

ROLL CALL NO. 222

YEA - Abdi, Ankeles, Arford, Bell, Boyer, Boyle, Brennan, Bridge, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer,

Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

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

ABSENT - Adams, Hepler.

Yes, 81; No, 67; Absent, 2; Vacant, 0; Excused, 1.

81 having voted in the affirmative and 67 voted in the negative, with 2 being absent and 1 excused, and accordingly 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-514)** on Resolve, to Reestablish the Criminal Records Review Committee

(H.P. 1047) (L.D. 1622)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York
BRAKEY of Androscoggin

Representatives:

MOONEN of Portland
ANDREWS of Paris
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 Resolve.

Signed:

Representatives:

HAGGAN of Hampden
HENDERSON of Rumford

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

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-514)** 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-514)** 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-490)** on Bill "An Act to Require State Agencies to Complete the Rulemaking Process Within One Year of a Legislative Directive to Adopt Rules"

(H.P. 539) (L.D. 850)

Signed:

Senators:

BALDACCI of Penobscot
LYFORD of Penobscot

Representatives:

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

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

Signed:

Senator:

NANGLE of Cumberland

Representatives:

STOVER of Boothbay
COPELAND of Saco
DHALAC of South Portland
RISEMAN of Harrison

READ.

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

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

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

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

Representative **CARLOW**: Thank you, Madam Speaker. Madam Speaker, we enact hundreds of bills every Session that require for their implementation the various Departments and agencies of State government to adopt rules and except for those bills that we care most about, we may never think of or hear of them ever again. Nor will we always remember whether or not the legislation we approved on behalf of our constituents was finally enacted by the agency responsible for that rulemaking. The lack of institutional memory and the resulting insufficiencies of accountability exposes a fatal flaw to the mission of this institution. We can enact legislation today requiring rulemaking but if we, either in our dispassion or our forgetfulness, fail to set a deadline for those rules to be completed, then we relinquish our constitutional responsibilities to the Chief Executive.

It is essential to the proper functioning of State government that each of the branches observe the longstanding traditions required by the separation of powers doctrine. In fact, so essential is this doctrine to us that Members of this House can't even mention the Chief Executive by name while speaking on the floor of this Chamber. But the pending question would effectively allow them to stymie the Acts and Resolves we pass on behalf of the people. And the power of an unelected bureaucracy to shadow veto our actions is interference we must immediately remedy if we are to preserve the constitutional functions and character of the Legislative Branch; the branch, I'm proud to say, is closest to the people. I'm in opposition to this motion. I urge a no vote. Thank you, Madam Speaker.

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

Representative **STOVER**: Thank you, Madam Speaker. LD 850 would require agencies that can adopt rules to do so within 12 months of the effective date of the authorizing legislation. The procedures of rulemaking is part of the Administrative Procedures Act and should be handled deliberately and carefully by all State agencies. The processes of imposing time limits could have unintended consequences and could restrict public input in the rulemaking process.

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. 223

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, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, 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, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lee, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Pluecker, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White B, White J, Wood, Woodsome.

ABSENT - Adams, Hepler.

Yes, 78; No, 70; Absent, 2; Vacant, 0; Excused, 1.

78 having voted in the affirmative and 70 voted in the negative, with 2 being absent and 1 excused, and accordingly the Minority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act to Authorize a Recall Election for a School Board Member"

(H.P. 697) (L.D. 1102)

Signed:

Senators:

NANGLE of Cumberland
BALDACCI of Penobscot

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-442)** on same Bill.

Signed:

Representatives:

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

READ.

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

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

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

The SPEAKER: The Chair recognizes the Representative from Windham, Representative Bagshaw.

Representative **BAGSHAW**: Thank you, Madam Speaker, Men and Women of the House. I rise today in opposition to the pending motion on my bill, LD 1102, "An Act to Authorize a Recall Election for a School Board Member."

For several years now, I have watched many of my neighbors raise concerns to our local School Board, as is their constitutional right and one enshrined in Maine Law. During the same period, I have seen firsthand their questions and concerns often ignored, dismissed and due to arcane protocols and the proverbial can being kicked down the road. I also have seen parents dismissed, taxpayers dodged and worse, in my local district, one of the School Board members actually gave her constituents the middle finger while walking off the stage. This rightfully caused outrage in my community. After an executive session, that Board member was censured by the full board. That is where the accountability in Windham stopped. That kind of uncivil behavior, mockery of parents and taxpayers exercising their right to peacefully assemble, rightfully warranted a response and some even wanted to take the issue to our town's voters. Alas, current Maine Law did not give my neighbors a choice. There was nothing at all that we, the people, could do. Instead of being able to recall the School Board member, my neighbors will have to wait until the expiration of her term. While our case may be most egregious, the frustrations felt in Windham are also felt in many communities across our State. Waiting until the expiration of a term can sometimes be years after an offense. This is unacceptable. When I asked the chair of my local School Board about enforcing Code of Ethics, I was told that the Code of Ethics has no teeth. Maine Law provides that a municipal official can be recalled but outside of chartered municipalities only if the official is convicted of a crime, the conduct of which occurred during the official's term of office and the victim of which is in the municipality.

So, here we are. I presented my bill on behalf of my constituents who feel they have no voice in public education. My School Board Chair told me the only way to change this was to go to Augusta and make a law that allowed for a recall process. When I came to Augusta to address the problem, I was asked if I tried to address this locally. I explained that in fact I did try to address this locally. The Chair of the Committee is my Senator, his campaign treasurer was the very School Board member that violated ethics and felt so emboldened to give the Windham parents the finger. When I mentioned examples from my district, he jumped up and showed a picture of the finger incident. Ultimately, a Point of Order was called, the Committee analyst

had to intervene when he defended his outburst. She told the Chair that he was breaking Committee rules. After an impromptu corner caucus, the majority party on the Committee came back and moved to kill my bill. The Committee discussed before the outburst that code of ethics violations should not be a valid reason for a recall. I beg to differ. Elected officials should be held accountable and able to be recalled by constituents whom they were elected by.

So, what is it; local control, State control or no control at all for taxpayers? The people of Maine in whatever municipality they call home deserve the right to have a recall process. My bill outlined how many signatures would be needed to trigger a recall process. That process is not a light one and that would take significant effort. That is intentional so this process could not be considered flip or easily abused. If taxpayers feel like a Board member misrepresented him or herself during an election process, violated ethics policies or are not at all representing the best interests or even abusing their position, there needs to be a failsafe. The taxpayers funding the schools need to have the option to recall. The Good Representative from Wales offered an amendment patterned after his municipality's charters. With this amendment, a town's charter would trump this bill. If the municipality has a recall process, then it would stand. If a town is silent on the proposed legislation, in his Report, would establish a reasonable and fair recall process. The possibility of changing course additionally, I would contend, brings about greater transparency and good government. Someone is less likely to take action that is adverse to the wishes of their constituents if they know that those constituents have options. I urge my colleagues to follow my light. Let's find some common ground and please vote no on the pending motion so that we can move the Minority Report to fix this issue for our taxpayers, our parents and, ultimately, for the kids. Thank you.

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

Representative **STOVER**: Thank you, Madam Speaker. LD 1102 allows for a recall election for a School Board member for any reason. It doesn't have the sort of guardrails or specifics that one might imagine. The recall of an elected school official can be done through the process of election. It is an overreach to allow for a recall of a School Board member for any reason. Thank you.

The SPEAKER: The Chair recognizes the Representative from Windham, Representative Bagshaw.

Representative **BAGSHAW**: Thank you, Madam Speaker. The recall outlined by the Good Representative from Wales, the petition that would be circulated would clearly state the reason for the recall and, you know, people signing the petition would have the option to think well, this is not a good reason to recall somebody or wow, this is a valid reason. So, thank you.

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

ROLL CALL NO. 224

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, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, Nutting, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury,

Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, 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, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Adams, Hepler.

Yes, 82; No, 66; Absent, 2; Vacant, 0; Excused, 1.

82 having voted in the affirmative and 66 voted in the negative, with 2 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-491)** on Bill "An Act to Clarify Term Limitations for Legislators, Constitutional Officers and the State Auditor"

(H.P. 722) (L.D. 1136)

Signed:

Senators:

NANGLE of Cumberland
BALDACCI of Penobscot

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-492)** on same Bill.

Signed:

Senator:

LYFORD of Penobscot

Representatives:

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

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-491)** 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-491)** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require Constitutional Officers to Be Elected by Statewide Election

(H.P. 832) (L.D. 1307)

Signed:

Senator:

NANGLE of Cumberland

Representatives:

STOVER of Boothbay

ABDI of Lewiston

COPELAND of Saco

DHALAC of South Portland

RISEMAN of Harrison

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-444)** on same RESOLUTION.

Signed:

Senators:

BALDACCI of Penobscot

LYFORD of Penobscot

Representatives:

ADAMS of Lebanon

GREENWOOD of Wales

POMERLEAU of Standish

READ.

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

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

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

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

Representative **ANDREWS**: Thank you, Madam Speaker. The Constitutional Officers of Maine are the Attorney General, Secretary of State and State Treasurer. A Resolution to amend the State Constitution is required to have our State's Constitutional Officers elected directly by the people. Maine is the only State where the Attorney General and State Treasurer are elected by the Legislature and Maine is one of just three States where lawmakers select the Secretary of State. There is a reason why the majority of states have their voters decide who they want to serve in these important roles. That reason is that the people should be electing their Constitutional Officers and not politicians. To have legislative majorities choose the people to fill these roles makes them inherently partisan. Mystery and intrigue cloud these appointed positions where no one in the public knows what insider horse trading took place to win a legislative-only election. No one outside of a select few of party insiders will ever know what deals were made for one party insider to be named a Constitutional Officer over another.

This has been a problem for a very long time. This is not good government or best practice for transparency. Those who wrote our Constitution would've been wise to account for the tribal nature of humans and put the power to elect Constitutional Officers and the State Auditor into the hands of the people instead of into the hands of those who control the party power in Augusta. Our constituents deserve open and honest races for these positions; races where individuals campaign and demonstrate their knowledge, experience and ideas for the role in which they want to serve. As a State, we will attract a better

and more diverse field of candidates if people outside of party loyalists are able to stand a chance of being elected into these very important positions. Madam Speaker, let the people decide who they want to serve them as Attorney General, Secretary of State and Treasurer. Thank you.

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

Representative **STOVER**: Thank you, Madam Speaker. Madam Speaker, this bill does call for an Amendment to our State Constitution. We have a process in place that's served us well and it's recommended that we continue to do so.

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. 225

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, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, 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, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, Warren, White J, Wood, Woodsome.

ABSENT - Adams, Hepler.

Yes, 80; No, 68; Absent, 2; Vacant, 0; Excused, 1.

80 having voted in the affirmative and 68 voted in the negative, with 2 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-445)** on Bill "An Act to Improve the Local Referendum Process by Increasing the Percentage of the Population Required to Submit a Local Referendum Question"

(H.P. 870) (L.D. 1356)

Signed:

Senators:

NANGLE of Cumberland

BALDACCI of Penobscot

LYFORD of Penobscot

Representatives:

STOVER of Boothbay

COPELAND of Saco

PAULHUS of Bath

RISEMAN of Harrison

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

Signed:

Representatives:

- ABDI of Lewiston
- ADAMS of Lebanon
- DHALAC of South Portland
- GREENWOOD of Wales
- POMERLEAU of Standish
- UNDERWOOD of Presque Isle

READ.

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

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-446)** on Bill "An Act Regarding Incarcerated Individuals and Legislative Apportionment" (H.P. 1093) (L.D. 1704)

Signed:

Senators:

- NANGLE of Cumberland
- BALDACCI of Penobscot

Representatives:

- STOVER of Boothbay
- ABDI of Lewiston
- COPELAND of Saco
- DHALAC of South Portland
- GREENWOOD of Wales
- POMERLEAU of Standish
- RISEMAN of Harrison
- UNDERWOOD of Presque Isle

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

Signed:

Representative:

- ADAMS of Lebanon

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-446)** 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-446)** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act to Restore Balanced Powers During a State of Emergency" (H.P. 1192) (L.D. 1862)

Signed:

Senators:

- NANGLE of Cumberland
- BALDACCI of Penobscot

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-447)** on same Bill.

Signed:

Senator:

- LYFORD of Penobscot

Representatives:

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

READ.

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

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

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

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

Representative **WHITE**: Thank you, Madam Speaker. I'll be brief. The rain falls on the just and the unjust alike. I was incredibly pleased to find out when I showed up to present this bill that the Good Representative from Auburn on the other side of the aisle had one and on the same day that was very, very similar to mine. And just like I, he expressed the concern that when, unfortunately, this Body fell into the time of emergency powers, there were far fewer guidelines than either of us would like to have seen and I believe that this bill helps alleviate that issue. Thank you.

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

Representative **STOVER**: Thank you, Madam Speaker. Madam Speaker, the Ought Not to Pass Report rests in the belief that emergency powers are rooted in the Executive Branch and that these decisions should not be politicized and not something that the Legislature needs to meddle in. We elect our Executive, our Chief Executive for a reason and there's no need for this bill. Thank you.

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

ROLL CALL NO. 226

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, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, 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, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Walker, White J, Wood, Woodsome.

ABSENT - Adams, Hepler, Underwood.

Yes, 81; No, 66; Absent, 3; Vacant, 0; Excused, 1.

81 having voted in the affirmative and 66 voted in the negative, with 3 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act to Prohibit the Taxation of Drinking Water"

(H.P. 41) (L.D. 66)

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 "A" (H-500)** on same Bill.

Signed:
Senator:

LIBBY of Cumberland

Representatives:

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

READ.

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

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

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

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

Representative **PERRY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, the title of this bill says it all, "An Act to Prohibit the Taxation of Drinking Water." Drinking water in the State of Maine is taxed the same way a bottle of soda is, you know, it's kind of classified the same. A bottle of water, a bottle of soda, it's kind of a convenience drink. But there is some heartburn with the notion of taxing drinking water, so, this was a reasonable bill.

The sponsor made a credible presentation to the Committee but if you've never served on Tax, first, count yourself lucky and, secondly, you have no idea. This was one

of our first bills that hung around for months, got hours of work. You would not believe the complications to trying to exempt water from taxation. In my little market, I probably have 50 different kinds of water, we're talking about maybe four of them; just straight water, no carbonation, no flavors, no additives. The people on the Ought Not to Pass side look to maybe exempting larger containers for people who need home delivery, maybe they don't have a good water source and it's got a substantial fiscal note and this one tax policy didn't rise to the level of some of the other stuff. In my side, the Ought Not to Pass side, in our view, in our judgment, it didn't rise to the level of some of the other tax stuff we're working on. And a few years back, we passed something called the Sales Tax Fairness Credit that everyone gets on their income tax return and it's up to I think \$200 back to help make up for some of these minor tax policies that maybe we'd like to take care of but are very difficult to do. So, for those reasons, I'm on the Ought Not to Pass Report and I'd appreciate any support on it. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Dover-Foxcroft, Representative Perkins.

Representative **PERKINS**: Thank you, Madam Speaker, Members of the House. I appreciate the comments of the good Member from Bangor. I understand the work that went into this from all the members of Committee. But I do ask the Members to reject the motion.

Water is as basic a life-sustaining substance as food, yet we don't tax staple groceries, including such food items as ketchup or salad dressing; well, I should clarify; we do tax drinking water and I should clarify we don't tax all drinking water. We don't tax drinking water when it's delivered to your home, whether it's through a pipe or by a truck. We're not allowed to tax it then because water is considered so essential. We do tax it, though, as the other Representative said, when we get it in bottles, when it's bought in a store and when it's bought at certain sites. No other staple grocery item is taxed differently because of the serving size. And make no mistake, water is a staple grocery item. It's recognized as such by the USDA and, as such, we can't tax it when it's paid for under certain food programs or with federal dollars.

Madam Speaker, not everybody has access to a good municipal water system. Not everybody even has a home where they can get that water piped into. Not everybody has a good, clean, uncontaminated well. I have people in my district, I know one person on my street, they rely on their drinking water from bottled water because they don't have a good well. Their well is contaminated. We saw pallets of water being shipped to the Hermon school system because their water system was not drinkable. They had PFAS contamination at the school. They had to have bottled water brought in. The State EMA website tells every one of us that we should stockpile bottled water in case of an emergency.

I understand and I agree with the Representative from Bangor, there's going to be a fiscal note there, we're eliminating a tax stream, it only makes sense we're going to lose some tax revenue there. I get that and I understand that. But water is more important. It's a life-sustaining element. It's more important than food. We can go longer without food than we can without water. And I can go days without mustard, Madam Speaker; only a few days, because I'm a huge mustard fan; but I have to have water every day to remain healthy. Every Mainer does. And so, I ask you humbly, Madam Speaker, that you don't support the motion and that we remove this regressive tax. Thank you, Madam Speaker.

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

ROLL CALL NO. 227

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, 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, Fay, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Madigan, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Adams, Hepler.

Yes, 79; No, 69; Absent, 2; Vacant, 0; Excused, 1.

79 having voted in the affirmative and 69 voted in the negative, with 2 being absent and 1 excused, 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**.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act to Fund the Protection and Restoration of Riparian and Estuarine Ecosystems and to Impose an Excise Tax on Certain Bottled Water Operators" (H.P. 544) (L.D. 854)

Signed:

Senator:

LIBBY of Cumberland

Representatives:

PERRY of Bangor
CARMICHAEL of Greenbush
CROCKETT of Portland
HASENFUS of Readfield
LAVIGNE of Berwick
LIBBY of Auburn
MATLACK of St. George
QUINT of Hodgdon
RUDNICKI of Fairfield

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-475)** on same Bill.

Signed:

Senators:

GROHOSKI of Hancock
CHIPMAN of Cumberland

Representative:

RANA of Bangor

READ.

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

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

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

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Perry. The Member may proceed.

Representative **PERRY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, this is a bill to impose an excise tax on water extracted in the State of Maine. It's an idea that's been around for about 20 years. We as a State invest millions and millions of dollars annually to protect our environment, keep our groundwater pristine. That's what makes the water that comes out of our ground so special to sell. And so, there's some value to that, we believe, many of us believe, and that a water extraction tax is a fair tradeoff to help protect this resource. That's what the bill seeks to do. The sponsor brought it forward and, once again, made a terrific case to the Taxation Committee. The rate was 5 cents a gallon and after the public hearing continued to do a great deal of work and came to the conclusion that that rate was about 10 times too high and half a penny a gallon would be a more reasonable rate. That came out after the public hearing, during the work session. It was quite different from the original bill we took in testimony on and the Committee did not feel like this bill should be passed at this time. For that and other reasons, but the issue of water is one of the biggest challenges and opportunities I think that we'll face in the future. So, I think we need to stick with focus on water here in the State but I don't think this bill is the one to do it with. Thank you.

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

Representative **SAYRE**: Thank you, Madam Speaker. I am the bill's sponsor. I rise in opposition to the motion. This bill aims to secure a sustainable source of funding for Land for Maine's Future in order to protect the waters, coasts, shorelines and riverbanks that are essential to the quality of our lives and the ecosystems we inhabit. It does so by taxing the extraction of water for commercial bottling by companies that extract more than 1.5 million gallons per year.

Maine is blessed with an incredible abundance of fresh water. While we read daily of droughts and water shortages around the world, our climate and geography provide an astonishing annual surplus. Today, one large global company owned by out-of-State private equity investors is the only enterprise that would be affected by this tax. But given the demand for bottled drinking water in the U.S. growing by 7% per year, it appears inevitable that other large-scale operators will seek to extract our water in the future. I have no doubt that we will be seen as the Saudi Arabia of drinking water in the decades ahead and we would be wise to act with foresight in preparing for accelerating development of this precious resource.

I have deep respect for Maine's longstanding water bottling industry and welcome and encourage its growth. This bill merely seeks to recoup for the benefit of Maine's environment a small fraction of the value generated by that industry. The people of Maine, through our State government, are the ones who pay for the environmental protection and land conservation that ensure the quality of the water the commercial bottlers extract and sell. It is simply a matter of fairness that those businesses contribute to the protection of the resource that they pump out of our ground.

As originally drafted, as the Chairman alluded, this bill's tax of 5 cents a gallon would've generated \$50 million a year. We heard in public hearing from many employees and industry representatives that this level of taxation would have been exorbitant, it would have threatened hundreds of great jobs in Maine. I agree. I amended the bill, reducing the proposed tax by 90% to half a cent a gallon. This would still raise \$5 million per year for the protection of the lands and waters of Maine, an investment that will also protect the water bottling industry itself and it is well within the economics of commercial bottling based on expert advice I sought out. I ask Members to join me in voting no on the Ought Not to Pass motion and I thank you for your time and consideration.

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

Representative **CARMICHAEL**: Thank you, Madam Speaker, Fellow Members of the House. If this is passed even at the half a cent a gallon, this will put that company at a disadvantage with every other company that's bottling water in this area, in the northeast. So, that's one of the reasons why I did not support this bill. And, you know, these jobs are too important to our State and the livelihoods of the people are at risk. Thank you.

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

ROLL CALL NO. 228

YEA - Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Bell, Blier, Boyer, Boyle, Bradstreet, Bridgeo, Campbell, Carlow, Carmichael, Cloutier, Collamore, Copeland, Costain, Crafts, Craven, Cray, Crockett, Cyrway, Davis, Dill, Drinkwater, Ducharme, Dunphy, Eaton, Faulkingham, Fay, Foster, Fredericks, Galletta, Gattine, Gifford, Graham, Greenwood, Griffin, Guerrette, Haggan, Hall, Hasenfus, Henderson, Hobbs, Hymes, Jackson, Javner, Landry, Lanigan, LaRochelle, Lavigne, Lee, Lemelin, Libby, Lyman, Madigan, Malon, Mason, Mastraccio, Matlack, Meyer, Millett H, Millett R, Montell, Moriarty, Morris, Murphy, Ness, Newman, Nutting, Parry, Paul, Paulhus, Perkins, Perry A, Perry J, Poirier, Polewarczyk, Pomerleau, Quint, Rielly, Roberts, Rudnicki, Runte, Sachs, Salisbury, Sampson, Sargent, Schmersal-Burgess, Shagoury, Shaw, Simmons, Smith, Soboleski, Stover, Strout, Swallow, Terry, Theriault, Thorne, Underwood, Walker, White B, White J, Williams, Wood, Woodsome, Worth, Madam Speaker.

NAY - Abdi, Ankeles, Arford, Brennan, Cluchey, Collings, Dhalac, Dodge, Doudera, Geiger, Gere, Golek, Gramlich, Jauch, Kessler, Kuhn, Lookner, Mathieson, Milliken, Moonen, O'Connell, O'Neil, Osher, Pluecker, Pringle, Rana, Reckitt, Riseman, Roeder, Russell, Sayre, Sheehan, Skold, Supica, Warren, Zager, Zeigler.

ABSENT - Adams, Hepler.

Yes, 111; No, 37; Absent, 2; Vacant, 0; Excused, 1.

111 having voted in the affirmative and 37 voted in the negative, with 2 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act to Authorize an Interim Use Trail on the Berlin Subdivision Rail Corridor"

(H.P. 130) (L.D. 209)

Signed:

Senator:

FARRIN of Somerset

Representatives:

WILLIAMS of Bar Harbor

ALBERT of Madawaska

ANKELES of Brunswick

CRAFTS of Newcastle

MASON of Lisbon

O'CONNELL of Brewer

PARRY of Arundel

THERIAULT of Fort Kent

WHITE of Waterville

WHITE of Guilford

Minority Report of the same Committee reporting **Refer to the Committee on Transportation** on same Bill.

Signed:

Senator:

CHIPMAN of Cumberland

READ.

On motion of Representative WILLIAMS of Bar Harbor, 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**.

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

Representative **UNDERWOOD**: Thank you, Madam Speaker, permission to speak on the record?

The SPEAKER: The Representative from Presque Isle, Representative Underwood, has requested unanimous consent to speak on the record. Hearing no objection, the Representative may proceed on the record.

Representative **UNDERWOOD**: Had I been in my seat on Item 6-30, LD 1864, Roll Call 226, I would have voted no.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act to Enhance Commuter-oriented Rail Service"

(H.P. 382) (L.D. 605)

Signed:

Senator:

FARRIN of Somerset

Representatives:

WILLIAMS of Bar Harbor

ALBERT of Madawaska

ANKELES of Brunswick

CRAFTS of Newcastle

MASON of Lisbon

O'CONNELL of Brewer

PARRY of Arundel

THERIAULT of Fort Kent

WHITE of Waterville

WHITE of Guilford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-473)** on same Bill.

Signed:

Senator:

CHIPMAN of Cumberland

READ.

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

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-497)** on Bill "An Act to Modernize the State Motor Vehicle Inspection Program"

(H.P. 556) (L.D. 900)

Signed:

Senators:

FARRIN of Somerset

NANGLE of Cumberland

Representatives:

WILLIAMS of Bar Harbor

ALBERT of Madawaska

ANKELES of Brunswick

CRAFTS of Newcastle

MASON of Lisbon

O'CONNELL of Brewer

PARRY of Arundel

THERIAULT of Fort Kent

WHITE of Waterville

WHITE of Guilford

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

Signed:

Senator:

CHIPMAN of Cumberland

READ.

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

On motion of Representative ANKELES of Brunswick, **TABLED** pending the motion of Representative WILLIAMS of Bar Harbor to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-472)** on Bill "An Act to Assess a Slip Fee on Megayachts Registered in Overseas Tax Havens"

(H.P. 749) (L.D. 1177)

Signed:

Senators:

CHIPMAN of Cumberland

NANGLE of Cumberland

Representatives:

WILLIAMS of Bar Harbor

ANKELES of Brunswick

CRAFTS of Newcastle

O'CONNELL of Brewer

WHITE of Waterville

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

Signed:

Senator:

FARRIN of Somerset

Representatives:

ALBERT of Madawaska

MASON of Lisbon

PARRY of Arundel

THERIAULT of Fort Kent

WHITE of Guilford

READ.

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

On motion of Representative MATLACK of St. George, **TABLED** pending the motion of Representative WILLIAMS of Bar Harbor to **ACCEPT** the Majority **Ought to Pass as Amended** Report and later today assigned.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Resolve, to Provide for One Month of Free Passenger Rail Service in Maine

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

Signed:

Senator:

FARRIN of Somerset

Representatives:

WILLIAMS of Bar Harbor

ALBERT of Madawaska

ANKELES of Brunswick

CRAFTS of Newcastle

MASON of Lisbon

O'CONNELL of Brewer

PARRY of Arundel

THERIAULT of Fort Kent

WHITE of Waterville

WHITE of Guilford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-471)** on same Resolve.

Signed:

Senators:

CHIPMAN of Cumberland
NANGLE of Cumberland

READ.

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

On motion of Representative TERRY of Gorham, **TABLED** pending the motion of Representative WILLIAMS of Bar Harbor to **ACCEPT** the Majority **Ought Not to Pass** Report and later today assigned.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-509)** on Bill "An Act to Ensure Polling Place Security"

(H.P. 252) (L.D. 419)

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland

Representatives:

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

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

Signed:

Senator:

TIMBERLAKE of Androscoggin

Representatives:

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

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-509)** 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-509)** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-510)** on RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding the Timing of Judicial Review of the Determination of the Validity of Written Petitions

(H.P. 648) (L.D. 1012)

Signed:

Senator:

HICKMAN of Kennebec

Representatives:

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

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

Signed:

Senator:

TIMBERLAKE of Androscoggin

Representatives:

BOYER of Poland
HYMES of Waldo
RUDNICKI of Fairfield

READ.

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

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-511)** on Bill "An Act to Improve the State's Election Laws by Amending the Laws Relating to Automatic Voter Registration"

(H.P. 858) (L.D. 1344)

Signed:

Senators:

HICKMAN of Kennebec
TIMBERLAKE of Androscoggin

Representatives:

SUPICA of Bangor
BOYER of Poland
MALON of Biddeford
RIELLY of Westbrook
RUDNICKI of Fairfield

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

Signed:

Representative:

ANDREWS of Paris

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-511)** 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-511)** and sent for concurrence.

Five Members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-502)** on Bill "An Act to Define the Term 'Solitary Confinement' for the Laws Governing a Jail or Correctional Facility"

(H.P. 681) (L.D. 1086)

Signed:

Senators:

HARRINGTON of York
LaFOUNTAIN of Kennebec

Representatives:

ARDELL of Monticello
NUTTING of Oakland
PERKINS of Dover-Foxcroft

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

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

LOOKNER of Portland
MADIGAN of Waterville
MATHIESON of Kittery
MILLIKEN of Blue Hill

Three Members of the same Committee report in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-503)** on same Bill.

Signed:

Representatives:

SALISBURY of Westbrook
HASENFUS of Readfield
NEWMAN of Belgrade

READ.

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

Eight Members of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-435)** on Bill "An Act to Remove Barriers to Abortion Coverage in Private Insurance"

(H.P. 582) (L.D. 935)

Signed:

Senators:

BAILEY of York
RENY of Lincoln

Representatives:

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

Four 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
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" (H-436)** on same Bill.

Signed:

Representative:

MORRIS of Turner

READ.

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

Ten Members of the Committee on **JUDICIARY** report in Report "A" **Ought Not to Pass** on Bill "An Act to Amend the Percentage of Votes Needed for an Amendment of a Declaration in the Maine Condominium Act"

(H.P. 426) (L.D. 657)

Signed:

Senators:

CARNEY of Cumberland
BRAKEY of Androscoggin

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford
LEE of Auburn
MORIARTY of Cumberland
POIRIER of Skowhegan
RECKITT of South Portland
SHEEHAN of Biddeford

Two Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "A" (H-520)** on same Bill.

Signed:

Senator:

BAILEY of York

Representative:

MOONEN of Portland

One Member of the same Committee reports in Report "C" **Ought to Pass** on same Bill.

Signed:

Representative:

KUHN of Falmouth

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

READ.

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

Eight Members of the Committee on **JUDICIARY** report in Report "A" **Ought Not to Pass** on Resolve, Establishing the Commission to Study the Foreclosure Process

(H.P. 651) (L.D. 1015)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

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

Four Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "A" (H-518)** on same Resolve.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
POIRIER of Skowhegan

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-519)** on same Resolve.

Signed:

Representative:

HENDERSON of Rumford

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

READ.

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

Eight Members of the Committee on **JUDICIARY** report in Report "A" **Ought Not to Pass** on Bill "An Act to Prevent Coerced Abortion"

(H.P. 757) (L.D. 1197)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

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

Three Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "A" (H-465)** on same Bill.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

ANDREWS of Paris
POIRIER of Skowhegan

Two Members of the same Committee report in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-466)** on same Bill.

Signed:

Representatives:

HAGGAN of Hampden
HENDERSON of Rumford

Representative DANA of the Passamaquoddy Tribe - of the House - supports Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-466)**.

READ.

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

Eight Members of the Committee on **JUDICIARY** report in Report "A" **Ought Not to Pass** on Bill "An Act to Require an Ultrasound and Certain Counseling Before an Abortion"

(H.P. 1039) (L.D. 1614)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

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

Four Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "A" (H-515)** on same Bill.

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-516)** on same Bill.

Signed:

Representative:

POIRIER of Skowhegan

Representative DANA of the Passamaquoddy Tribe - of the House - supports Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-516)**.

READ.

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

Eight Members of the Committee on **STATE AND LOCAL GOVERNMENT** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-488)** on Resolve, to Establish the Committee to Study the Creation of a State Calendar

(H.P. 791) (L.D. 1243)

Signed:

Senators:

NANGLE of Cumberland
BALDACCI of Penobscot

Representatives:

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

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

Signed:

Representatives:

ADAMS of Lebanon
POMERLEAU of Standish
UNDERWOOD of Presque Isle

Two Members of the same Committee report in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-489)** on same Resolve.

Signed:

Senator:

LYFORD of Penobscot

Representative:

GREENWOOD of Wales

READ.

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

Representative GREENWOOD of Wales **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought to Pass as Amended.**

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. We had some testimony on this. It seemed like we needed to be more sensitive and I totally agree, that's why I offered a different Report. But I truly believe that the members of the Commission should be legislators and not, you know, interested parties. So, for that reason, I am opposed to the pending motion. Thank you.

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

Representative **STOVER**: Thank you, Madam Speaker. This bill was, for our Committee, something that really seemed timely and appropriate. That we don't have a State calendar that is; although we have a Federal calendar that recognizes culturally specific and religious holidays, we don't have one in our State that recognizes the diversity of our Members. So, this Resolve, we're directing under this bill to have the Secretary of State work with some specific religious communities and develop a calendar that would really show the respect and inclusion of people from different religions and different communities. And I would ask that we follow the Ought to Pass as Amended Committee Report so that the Secretary of State or

designee could complete this work and have it back to us in January of '24. Thank you.

The SPEAKER: The Chair recognizes the Representative from Orono, Representative Osher.

Representative **OSHER**: Thank you, Madam Speaker. Madam Speaker, Fellow Members of the House, I rise in support of the pending motion. This bill addresses the problem of public hearings, legislative work sessions, report-back meetings and other important events of the Legislature and the Executive Branch being scheduled on the holiest days for Jews, Muslims and other Maine citizens who are members of religious minority groups. In the last two years, important public meetings were scheduled on Yom Kippur and Eid. In the fall, the Department of Health and Human Services scheduled a public hearing on child care rules on Yom Kippur, the holiest day of the year. On that day, Jews fast and spend the day in synagogue. Attending a hearing or a public meeting isn't part of our observance. But for those of us who are involved in the process of policymaking, the scheduling was wrenching. This spring, the work session for this very bill was originally scheduled for Eid, but it was rescheduled because two members of the State and Local Government Committee were there to advise the Chairs and staff of the conflict presented on choosing that day.

Scheduling meetings on the holidays of our community members who are members of minority religions is exclusionary. It's also embarrassing to those who schedule events on those days and are unaware that they're choosing a day that's holy for members of a religious minority. The Committee staffer that scheduled the meeting on Yom Kippur was not aware they were scheduling the hearing on Yom Kippur because it wasn't on a calendar, the calendar they were referring to. At the federal level, government calendars identify the important holidays of minority religions, enabling those scheduling meetings, official events and important gatherings to avoid scheduling them on these holidays.

LD 1243 is a resolve that directs the Secretary of State to work with stakeholders to create a proposed State calendar. The Secretary of State will bring together Representatives from Christian, Muslim, Jewish and other faith traditions practiced in our State, and the Wabanaki tribes and the Permanent Commission on the Status of Racial, Indigenous and Tribal Populations to identify the holidays to be included on the State calendar.

The SPEAKER: The Member will defer. The Chair asks that the Member direct her comments directly to the Chair. The Member may proceed.

The Chair reminded Representative OSHER of Orono to address her comments toward the Speaker.

Representative **OSHER**: The Office of the Secretary of State tells us they can convene a group within existing resources, and that means there will be no cost to convene this working group. Another Member has suggested that the working group be of the Legislature but that would have a fiscal note. The Secretary of State will return to the State and Local Government Committee with the proposed calendar in January and the Committee will be empowered to report out a bill to adopt the calendar as they see fit. This is a common-sense bill to ensure State government is accessible to all Mainers. It will allow State officials to make informed decisions that promote equity and inclusion at no additional cost. I hope you will join me in supporting it, Madam Speaker. Thank you.

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

ROLL CALL NO. 229

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, Kuhn, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Simmons, Skold, Stover, Supica, Terry, Warren, White B, Williams, Wood, Woodsome, 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, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmearsal-Burgess, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J.

ABSENT - Adams, Kessler, Landry.

Yes, 83; No, 64; Absent, 3; Vacant, 0; Excused, 1.

83 having voted in the affirmative and 64 voted in the negative, with 3 being absent and 1 excused, and accordingly Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-488)** 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-488)** and sent for concurrence.

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-439)** on Bill "An Act to Include Possession of Compounds, Mixtures or Substances Containing a Detectable Amount of Certain Scheduled Drugs to Prove the Offense of Unlawful Trafficking of Scheduled Drugs"

(H.P. 629) (L.D. 994)

Signed:

Senators:

HARRINGTON of York
LaFOUNTAIN of Kennebec

Representatives:

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

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

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

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

READ.

Representative SALISBURY of Westbrook moved that the House **ACCEPT** Report "B" **Ought Not to Pass**.

Representative NUTTING of Oakland **REQUESTED** a roll call on the motion to **ACCEPT** Report "B" **Ought Not to Pass**.

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

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

Representative **ARDELL**: Madam Speaker and Ladies and Gentlemen of the House, this bill as amended brings the schedule W drugs amphetamine and methamphetamine into consistency with the legal definitions of other drugs such as fentanyl and heroin in that it defines meth to include any, quote; compound, mixture or preparation. This is not a groundbreaking bill; it merely corrects what appeared to be an oversight of previous Legislatures and supports Maine's three-pronged drug policy approach of education, treatment and enforcement. I ask this Body to support a drug-free Maine for our youth and oppose the Ought Not to Pass motion.

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

ROLL CALL NO. 230

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

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

ABSENT - Adams, Kessler, Landry, Lanigan.

Yes, 83; No, 63; Absent, 4; Vacant, 0; Excused, 1.

83 having voted in the affirmative and 63 voted in the negative, with 4 being absent and 1 excused, and accordingly Report "B" **Ought Not to Pass** was **ACCEPTED** and sent for concurrence.

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

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

CONSENT CALENDAR

First Day

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

(S.P. 37) (L.D. 45) Bill "An Act to Prevent Retaliatory Evictions" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-303)**

(S.P. 543) (L.D. 1378) Bill "An Act Regarding Liquor Service by Catering Services for Special Events at Licensed Wineries, Small Wineries, Breweries, Small Breweries, Distilleries and Small Distilleries" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-302)**

(S.P. 644) (L.D. 1627) Bill "An Act to Improve Disclosure of Lobbyist Activities" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-301)**

(S.P. 816) (L.D. 1987) Bill "An Act to Allow the Adjutant General to Sell the Calais Armory" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-300)**

(H.P. 754) (L.D. 1182) Bill "An Act to Make Revisions to the Tax Increment Financing and Development District Laws" Committee on **TAXATION** reporting **Ought to Pass**

(H.P. 508) (L.D. 819) Bill "An Act to Reduce the Penalty for Operating a Motor Vehicle Under a Suspended License in Certain Situations" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-540)**

(H.P. 652) (L.D. 1016) Bill "An Act to Support College Student Participation as Policy Interns for State Legislators" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-543)**

(H.P. 1187) (L.D. 1857) Bill "An Act to Create the Public Safety Health and Wellness Reimbursement Fund to Benefit Public Safety Workers and Volunteers" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-539)**

(H.P. 1207) (L.D. 1882) Bill "An Act to Increase the Deduction from Income for Pension Benefits" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-531)**

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

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

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

COMMUNICATIONS

The Following Communication: (H.C. 211)

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

June 14, 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 appointing Representative Abden Simmons of Waldoboro to the Joint Standing Committee on Marine Resources, replacing Representative Lydia Crafts of Newcastle, effective immediately.

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

Sincerely,

S/Rachel Talbot Ross

Speaker of the House

READ and ORDERED PLACED ON FILE.

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

On motion of Representative SIMMONS of Waldoboro, the House adjourned at 9:05 p.m., until 10:00 a.m., Thursday, June 15, 2023.