

MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE
FIRST SPECIAL SESSION
27th Legislative Day
Thursday, June 15, 2023

The House voted to **INSIST**.

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

Prayer by Reverend Paul Day, North Yarmouth Congregational Church, Yarmouth.

National Anthem by Sammie Angel, Dixfield.

Pledge of Allegiance.

Doctor of the day, Patrick Connolly, MD, Falmouth.

The Journal of yesterday was read and approved.

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

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act to Ban the Drug Tianeptine" (EMERGENCY) (H.P. 517) (L.D. 828)

Report "B" (3) **OUGHT NOT TO PASS** of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** in the House on June 12, 2023.

Came from the Senate with the Bill and accompanying papers **COMMITTED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act to Prohibit Municipal Flavored Tobacco Product Bans on State-licensed Tobacco Retailers" (H.P. 431) (L.D. 662)

Minority (4) **OUGHT TO PASS** Report of the Committee on **STATE AND LOCAL GOVERNMENT READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED** in the House on June 13, 2023.

Came from the Senate with the Majority (8) **OUGHT NOT TO PASS** Report of the Committee on **STATE AND LOCAL GOVERNMENT READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Bill "An Act to Establish a Grant Program to Provide for Statewide and Equitable Access to Experiential Science, Technology, Engineering and Mathematics Education" (S.P. 528) (L.D. 1291)

Majority (8) **OUGHT NOT TO PASS** Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS READ** and **ACCEPTED** in the House on June 13, 2023.

Came from the Senate with that Body having **INSISTED** on its former action whereby the Minority (5) **OUGHT TO PASS AS AMENDED** Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-265)** in **NON-CONCURRENCE**.

Non-Concurrent Matter

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)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-505) in the House on June 14, 2023.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-505) AS AMENDED BY SENATE AMENDMENT "A" (S-332)** thereto in **NON-CONCURRENCE**.

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

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:

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Honorable Edward Polewarczyk and Arlene Polewarczyk, of Wiscasset, who are celebrating their 60th Wedding Anniversary on June 15, 2023. We extend our congratulations and best wishes;

(HLS 449)

Presented by Representative FAULKINGHAM of Winter Harbor. Cosponsored by Senator RENEY of Lincoln, Representative POLEWARCZYK of Wiscasset.

On **OBJECTION** of Representative FAULKINGHAM of Winter Harbor, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair is pleased to recognize the Representative from Wiscasset, Representative Polewarczyk.

Representative **POLEWARCZYK**: Madam Speaker, Ladies and Gentlemen of the House;

Life goes on like the blink of an eye.

Sixty years have thus gone by.

It was on this day, June 15th in '63

where we were wed, Arlene and me.

Our story began before that date,

when I first saw my life's soulmate.

She was walking down the street,

the girl I just had to meet.

Some would say love at first sight,

but we believe it was through God's might.

Four years had passed before we wed,

had no idea what lie ahead.

Suddenly, ten years had passed,

son and daughter were growing fast.

We turn around and suddenly they had grown

and now had families of their own.

Now, they approach retirement

and we're not sure where all the time's been spent.

No longer do we intend to roam,
 you see, here in Maine, we found our home.
 Sixty years have thus been spent
 and we still don't know where all that time has gone.
 Joys and sorrows we have shared,
 our mutual love we have declared.
 So, it goes on, our love is strong,
 for you see, to each other we belong.
 As we go on living, we must thank God for the love he's given.
 So many little things make life a pleasure.
 Arlene, you are my only real treasure.
 Sixty years have thus gone by,
 life goes by like the blink of an eye.

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

Representative **FAULKINGHAM**: Madam Speaker, you were supposed to call on me first because I think I need some tissues.

The SPEAKER: The Chair would remind the Member that he would need to press his button for that to happen. The Representative may proceed.

Representative **FAULKINGHAM**: Madam Speaker, when I see someone that's been married for 60 years like the Good Representative, I have so much admiration and I hope that somebody that's me, that I make it 60 years as well. Representative, that was a beautiful tribute to your wife. Congratulations and happy anniversary.

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

Recognizing:

Brenda Gallagher Thomas, of Sidney, on her retirement as a teacher in the Adult Education Program and administrator in the business office of Lawrence High School in Fairfield after 41 years of service. We extend our congratulations and best wishes;

(HLS 490)

Presented by Representative RUDNICKI of Fairfield.
 Cosponsored by Senator POULIOT of Kennebec, Representative BRADSTREET of Vassalboro, Representative NUTTING of Oakland.

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

READ.

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

Representative **RUDNICKI**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Brenda Thomas has been basically the face of Lawrence High School for many, many years. She has been administrative assistant, secretary, everything in the high school office, for the principal's office, for many years. She started out at MSAU 49 thirty-seven years ago in the business office and later moved into the high school office. And the one thing that I take away from what Brenda brought to the high school that I think is amazing, and she's in the gallery today, she brought to the high school what we call Christmas for Teens. And it's one of those programs that there are no teens at Lawrence High School that they know of that would go without a Christmas present. And she has shopped and she has wrapped present after present when it comes to Christmas in that time. She gets volunteers to help her and she raises the money that she needs to make sure that none of these kids go without. Anywhere from clothes to musical instruments. I went in a couple years ago before Christmas when she was working

on it and there was a guitar there that somebody wanted that she was working on.

So, Brenda has brought a lot to the school and will be greatly missed and I'll tell you how much she's missed; they've already called her back to work for the next week. So, she didn't even get out of there and they're calling her back. So, she's been very, very much a mainstay at Lawrence High School and will be missed by many. And she actually has a total of 41 years in education from her previous employment in SAD 47 as well. So, I congratulate Brenda on her almost retirement until they actually let her go. So, thank you, Madam Speaker.

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

In Memory of:

Edward C. Haverlock, of Greenbush. Mr. Haverlock worked as a mechanic until he went into business for himself working in the woods, eventually becoming a logging contractor. He served his community in many roles, including as selectman, school board member, firefighter, fire chief and town fire warden. He was the last charter member of the Olamon Faith Bible Church, which he served over the years as Sunday school superintendent, Sunday school teacher, trustee and deacon. Mr. Haverlock will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

(HLS 471)

Presented by Representative CARMICHAEL of Greenbush.

Cosponsored by Senator TIPPING of Penobscot.

On **OBJECTION** of Representative CARMICHAEL of Greenbush, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **CARMICHAEL**: Thank you, Madam Speaker, Men and Women of the House. Mr. Haverlock was one of them rare people who come along maybe once in a generation where he's plugged into all aspects of our community. And he was a big part of the community I call home for the last 46 years. I moved into town around 1977 and a couple years later, I joined the Fire Department. And I think that's probably where I first got to know Ed. He served on the Fire Department, like was stated, from 1972 to 2007, as a; just a firefighter and a Fire Chief.

In the mid-90s, I decided to get involved in local politics. So, the best place I could think of to get that started was going to see Ed. Before I could get him to sign my nomination papers, he sat me down and let me know that there's some things in local politics that we need to know and he shared them with me. Well, with his support and others, I won that election and after that, I decided to run for State Representative. So, the first place I went to do that was back to see Ed again. And, again, Ed had all kinds of advice that I should listen to about what we need to do on the State level, and I value that advice.

After I got elected here, I had the opportunity to just stop in and visit Ed and we talked. Ed was a man of faith and we got into a really good discussion on doctrine and his love for our Savior, Jesus Christ. And that's a part of Ed's life I'll always respect the most. When I think of Ed, I think of Paul's words in 2 Timothy; I fought a good fight, I have finished the race, I have kept the faith and now there's in store for me the crown of righteousness which the Lord Jesus Christ, the righteous judge, will award me on that day. Ed fought a good fight, he ran a good race, he kept the faith and he finished well. I don't believe in

judging whether people; how God judges people but with Ed, it's my personal belief, when he got to heaven, Jesus was there to say well done, good and faithful servant. So, I just wanted to show my appreciation for his life. Thank you.

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

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

ORDERS

On motion of Representative ABDI of Lewiston, the following Joint Resolution: (H.P. 1293) (Cosponsored by Representatives: CLOUTIER of Lewiston, COPELAND of Saco, DHALAC of South Portland, MILLETT of Cape Elizabeth, Senator: ROTUNDO of Androscoggin)

JOINT RESOLUTION RECOGNIZING JUNE 20, 2023 AS WORLD REFUGEE DAY IN MAINE

WHEREAS, World Refugee Day was launched by the United Nations in 2001 to honor the bravery, strength and determination of refugees around the world who have been forced to flee their home countries under threat of conflict, violence, persecution and natural disaster; and

WHEREAS, refugees in communities across the welcoming state of Maine resettle in the hope of finding peace and safety for themselves and their families; and

WHEREAS, for over 45 years, refugees from diverse social, cultural, racial, ethnic and religious backgrounds with a variety of skills, abilities and experiences have resettled in Maine and have been woven into the fabric of Maine's vibrant cultural tapestry; and

WHEREAS, refugee-led organizations in Maine share the priority of our State to strengthen communities by engaging with and improving the lives of all Maine people through fair and equitable access to education, health care and employment; and

WHEREAS, refugee and immigrant-owned businesses are important contributors to the economic and social vitality of communities across our State, supporting local economies and employing local people; and

WHEREAS, Maine celebrates the refugee communities throughout our State that have served on the front lines of the State's response to the COVID-19 pandemic, ensuring our safety during uncertainty and contributing to our strong and successful recovery; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to recognize June 20, 2023 as World Refugee Day in Maine and the positive impact and enduring contributions of refugee communities in the State.

READ.

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

Representative **ABDI**: Thank you, Madam Speaker. Madam Speaker, I rise today in recognition of World Refugee Day, a celebration of strength and courage of refugees from around the world who have been forced to flee their home country and escape conflict or persecution. I stand proudly as a member of Maine's refugee community and one of the three immigrants to serve in this 131 Maine Legislature.

This country has been home to me for the past 16-plus years of my life. According to the Maine Immigrant Rights Coalition, there are estimated of 87,000 immigrants and refugees, including asylum seekers, undocumented people and their children who live in Maine, each with their own stories and their own reasons for seeking a life in our great state of Maine. We each come to this Body with a variety of experience. It's through the sharing of our experiences that we begin to develop empathy and community among those who look different, sound different or think different. May these valued members of my community, our community, be cherished today and in perpetuity. Thank you, Madam Speaker.

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

On motion of Representative OSHER of Orono, the following Joint Resolution: (H.P. 1294) (Cosponsored by Senator HICKMAN of Kennebec and Representatives: EATON of Deer Isle, GOLEK of Harpswell, MOONEN of Portland, O'NEIL of Saco, RANA of Bangor, RECKITT of South Portland, SACHS of Freeport, SKOLD of Portland, Speaker TALBOT ROSS of Portland, WARREN of Scarborough)

JOINT RESOLUTION RECOGNIZING JUNE 2023 AS PRIDE MONTH

WHEREAS, the Stonewall riots that began on June 28, 1969 sparked the LGBTQ rights movement in the United States; and

WHEREAS, during these riots, LGBTQ citizens, led by transgender women of color, rose up and resisted police harassment that arose out of discriminatory criminal laws that have since been declared unconstitutional; and

WHEREAS, in the decades since the Stonewall riots, Pride celebrations have taken place around the country every June to commemorate this historic turning point for the LGBTQ community; and

WHEREAS, following the 1984 murder of Charlie Howard, a young gay man in Bangor, LGBTQ Mainers came together to form the Maine Lesbian/Gay Political Alliance, now known as EqualityMaine; and

WHEREAS, in 1993, the Maine Civil Rights Act was amended to include explicit protections for LGBTQ people, ensuring the law served to protect against bias-based threats, harms and hate crimes; and

WHEREAS, as a national leader for LGBTQ equality, Maine has included protections for LGBTQ people in parentage and antibullying laws; and

WHEREAS, Maine has continued to improve access to relationship equality, passing laws that extend hospital visitation rights to same-sex couples in 1999, require health insurance companies to offer to employers coverage for domestic partnerships in 2001, extend inheritance rights and next of kin status for funeral and burial arrangements and conservator rights to same-sex and unmarried heterosexual couples in 2004 and include domestic partnerships in the law governing family medical leave in 2007; and

WHEREAS, the people of Maine voted to prohibit discrimination based on sexual orientation and gender identity in 2005 and in favor of marriage equality in 2012; and

WHEREAS, in 2014, Maine was the first state in the nation whose highest court ruled it unlawful for a school district to prohibit a transgender student from accessing the bathroom consistent with that student's gender identity, interpreting for the first time amendments to the Maine Human Rights Act that expanded protections to include sexual orientation; and

WHEREAS, since 2018, Maine has added a nonbinary gender designation for state identification cards and birth certificates, prohibited transgender exclusions in health insurance plans, banned the harmful practice of conversion therapy and secured state-level benefits for veterans who were discharged from the military due to their sexual orientation or gender identity; and

WHEREAS, despite years of progress, members of the LGBTQ community in the United States and around the world still face discrimination, violence and proposed rollbacks in state and federal protections, and bias-based crimes based on sexual orientation and gender identity are on the rise; and

WHEREAS, here in Maine there is a commitment to protecting the civil rights of LGBTQ Mainers and to treating all people fairly and equally and with dignity and respect; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to recognize June 2023 as Pride Month as we continue to work toward full equality for our LGBTQ family, friends and neighbors.

READ.

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

Representative **OSHER**: Thank you, Madam Speaker. It is with great joy that I welcome members of the LGBTQ community to the gallery to hear this read.

I thank everyone who has been supportive of the LGBTQ community. In the history of the Maine Legislature, there have been 31 legislators who were out or who are now out since they have served in the Legislature. That was a big challenge when Dale McCormick was the first to be an out legislator and I'm happy to say that it's not as big a challenge these days for LGBTQ people to be elected and to serve and it's so important that people who represent underrepresented minorities are here in this Body. So, thank you very much for honoring us.

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

Representative **RECKITT**: Thank you, Madam Speaker. I was asked to speak first because I'm the oldest one here and also because I was there in the very beginning.

In 1976, a group of women sat around a; actually, a floor in Edgecomb, Maine, at the annual conference of the National Organization for Women. And we thought that day who in the world is going to put in a bill in this Maine State Legislature to protect the rights and to give human rights protection to what we then called the lesbian and gay community; other initials got added much later. But, in any case, we sat there and said well, who's going to do that if we don't? So, we decided we'd take that on. So, we had to find somebody in the State Legislature who would take on that fight for us because, obviously, I wasn't here yet, although I was around, and I said I think I know the man to do that and I was assigned to go talk him into it. Well, it didn't take but a minute and a half to talk him into it because that brave and courageous man who, thank heavens, is still alive today, was the Speaker's father, Gerald Talbot, who was the very first sponsor of the very first gay rights bill in Maine. And what he always said was it's discrimination, that's wrong, I don't care what it's about, it's wrong. And he took it on when nobody else would do it but Larry Connolly from Portland did join him but mostly it was Gerry who was the leader in this fight. And I remember the first hearing on the bill because he was very excited at the end and he told the press it's great, there's nobody against it, we're going to win. And I said Gerry, calm down, it's

not going to happen that quick but he was sure that it was right and so it would happen. So, I speak in part in honor of Gerald Talbot today and his courage at that time. That was in 1977 that that first bill came forward. I was the straight spokesperson for the campaign because I didn't know about myself then. And somewhere in the middle of that campaign, I came out to myself and I had to say to my fellow spokesperson, who was the spokesperson for the gay community, a man named Peter Prizer, who some of you met when I brought him here a couple three, four years ago to meet you, and who thankfully is moving home to Maine in September after all these years, and I said to Peter, I have to tell you something because I had just figured out and I didn't know that I could stand and lie as the spokesperson for the straight community in that bill. But I buckled up and I think for the last time in my life, I hope, told a whopper and just didn't talk about the fact that I had come out two months earlier. So, campaign didn't win; it hadn't for 36 years, I think it took, for that campaign to win. But all of you know I'm pretty stubborn and so, I've been hanging around for quite a while.

I want to tell you two other quick things. One is in 1980, I had the privilege of being one of the founders of the Human Rights Campaign Fund. I was asked by the folks in D.C. to do that and I spent seven years on that national board and a year as the deputy director in Washington and it was an amazing experience for me and to watch that organization explode in the last, God knows how many decades now, has been wonderful.

The last thing I want to say is, as you just heard, marriage became legal in Maine for us in 2012. It had been legal several years before; or a couple of years, anyway, in Massachusetts, where I was born and raised. But my partner at the time, we'd been together nine years at that point, and I said I'm not getting married in Massachusetts, I'm not getting married till I can get married in Maine in my backyard. And finally, in 2013, we did, indeed, do that. And who was in the front row of the 130 people in my backyard? Gerald Talbot and his wife, Anita. And I was so thrilled that they were there to celebrate that day with my wife, Lynn, and I.

And one last thing, when I entered this Legislature in 1917, I had never called my wife anything but my partner. It had been ingrained in me over the years; we didn't use the word wife, nobody used it in the community. And I went on a bus tour around northern Maine with a woman named Joyce Maker, a wonderful Republican Senator from Calais, and I sat next to her and I got talking because that's what I do, you might've noticed, and I said to her I just can't use the; I just can't get it out of my mouth, I can't call her my wife. I don't know why, I'm just; I can't do it. And she said to me you have to, really, that's who she is to you. And so, every time that I said partner, she said you mean wife. And she didn't just do that on the bus tour, she did it through my entire first year of the Legislature, until I got used to the word. So, I decided that the reason I have a wife today is Senator Joyce Maker from Calais who trained me about what I should be saying about the woman I love and have been with for nearly 20 years now. I'm grateful to my Republican colleague from Calais because she got me over that hump. And I will now, believe it or not, be quiet and sit down and thank you all for welcoming me to this Chamber for my fourth term. Thank you.

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

Representative **RANA**: Thank you, Madam Speaker. Madam Speaker and Honorable Members of the House, I rise today in proud support of this Joint Resolution. Later this month, we will celebrate and honor the 54th anniversary of the Stonewall Uprising, which was sparked by a police raid of the Stonewall Inn, a gay club located in New York City. The raid

sparked a riot among bar patrons and neighborhood residents as police hauled employees and patrons out of the bar, leading to six days of protest. While there is a long history of brave LGBTQ+ people and organizations that have fought for the humanity and rights of our community, the Stonewall Uprising was the event that sparked a movement, leading to the formation of numerous gay rights organizations including the Gay Liberation Front, the Human Rights Campaign, GLAD, and PFLAG, not to mention the incredible organizations in Maine today. We would not be where we are today without the black and brown LGBTQ+ Stonewall activists like Marsha P. Johnson and Sylvia Rivera, and African-American civil rights leader Bayard Rustin, who fought at the intersection of gay rights, workers' rights and racial equity. These are people who have risked being ostracized, risked their lives for our collective freedom, a fight for the recognition of our humanity.

Today's Joint Resolution gives us the opportunity to remember the struggles and triumphs of the LGBTQ+ community and the community members right here in our great State. In my community of Bangor, in 1984, Charlie Howard, a young gay man, was attacked and murdered simply for being who he was. He was just 23 years old when he was thrown from a bridge, an area over the Kenduskeag Stream not far from my home. He was described as joyful and brave, a caring person that was always concerned for others and is remembered and honored every day, but especially in the month of June. Despite experiencing tragedy, our community has come together time and time again. From the Wilde Stein Club formed in 1973 at the University of Maine, which is still active today, to the youth outreach and support group that was formed in Bangor decades ago by Gene Curtis, a social worker and my constituent who I am so proud to represent. These groups foster community, resiliency and safety. They save lives.

This year, the Human Rights Campaign issued a national state of emergency for LGBTQ+ people. This is the worst year in history, with over 500 dangerous anti-LGBTQ bills being proposed across the nation and 75 of those anti-LGBTQ+ bills signed into law this year alone. This is particularly true for our trans community members, whose rights are under regular attack. In Maine, I am proud that we continue to stand up for what is right and just. I am grateful that we trust people to know themselves better than we will ever understand. And as has been stated by the Human Rights Campaign, our community is in danger but we won't stop fighting back, not now, not ever. Thank you.

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

Representative **MOONEN**: Thank you, Madam Speaker. Madam Speaker, Colleagues of the House, I want to thank the Representative from Orono for bringing this Resolution forward and allowing me to co-sponsor it and thank all my colleagues who have spoken thus far. You've covered a lot of really important ground in talking about the national movement, the State movement. I had a few thoughts I wanted to add. I was so pleased to hear the Representative from South Portland's comments about your father, Madam Speaker. He truly did something brave. He was very far ahead of his time. And I happen to represent the district of Larry Connolly, who is the other man, the only other sponsor of that bill aside from your father, Madam Speaker, who took that leap with him. And they fought really hard. I'm sure it's not a surprise to anyone that bill went down in flames back in 1977 but, as the Representative from South Portland said, they didn't give up, they kept working. It took 28 years to get comprehensive nondiscrimination protections. The bill finally passed when then-Chief Executive

King was in office. If you haven't seen his speech about why he signed that bill, you should watch it. It is incredible. But after he signed it, a people's veto was filed, it went to referendum, we actually had four Statewide referendums on nondiscrimination. The last one was after Chief Executive Baldacci signed the bill in 2005. One of the bright spots of losing several referendums in a row is that it gave us the opportunity to expand our understanding of our own community. The first few times this bill was passed, it only covered sexual orientation but the last time it was passed, when Chief Executive Baldacci signed it, it included gender identity. And later that fall, the people of Maine decided to keep that law on the books when they voted at referendum. And as a result of that, Maine was one of the very first States in the country to include both sexual orientation and gender identity in our nondiscrimination laws and that law has been on the books unchallenged for nearly 20 years.

Many of you know that I spent many years on the staff; or the board of Equality Maine and most recently was Executive Director for seven years, left that job about a year ago and before I was a Member of this Legislature, I was an advocate there when we did the marriage bill. And it was formative in my life. I learned everything I know about how to organize and how to get things done and how to make change from being part of that effort. At the time, there were only two states in the country that had marriage equality; Massachusetts and Connecticut. California had had it for a moment but that was just overturned by Proposition 8 when we filed the marriage bill. And I remember what a lot of folks told us when we filed that bill. We were told this isn't Massachusetts, you'll never get this done. We were told we have more important things to do. We were told that this is a luxury, you should accept civil unions because that's good enough. Members of this Legislature got death threats for supporting that bill. It was extremely tense in this building, even as an advocate, just as a citizen, I could feel it amongst all the membership. But so many people in both parties came together to do the right thing and pass that bill. And Chief Executive Baldacci signed it, making Maine the first State in the country to pass marriage equality through the Legislature and have it signed into law by the Chief Executive. I think we all know that a peoples' veto was filed on that, it went to referendum and we lost later that fall by a very small margin but we didn't give up, we basically got back up the very next day after the election and went back to work. And three years later, a substantial number of Mainers changed their minds and voted for marriage equality, making us the first State to pass marriage equality by referendum. So, we did it every possible way we could except going to court.

I really appreciate that the Resolution addresses so much of the progress that has been made in the last four years. It is actually even more than what's listed in this Resolution but it's pretty amazing. Really appreciate the comments from the Representative from Bangor talking about what is going on around the country. It is scary in a lot of ways but I guess what I want to say is here in Maine, we are safe, we are protected, we have a Government that supports us and has our backs. But even more important than the elected officials that we have having our backs, we have the support of the people. The people voted for nondiscrimination based on sexual orientation and gender identity. The people voted for marriage equality. And I have no doubt that, while I don't want to and hope we never have to go back to referendum, I have no doubt that if we do, the people will have our backs again and, for that, I'm very grateful. And so, for any LGBTQ+ two-spirit person out there who is concerned about what is happening around the country, as you absolutely should be, I just want you to know that you are

safe and protected here in Maine and we are not going to let that change. Thank you very much, Madam Speaker.

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

ENACTORS

Emergency Measure

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

(H.P. 164) (L.D. 259)
(S. "A" S-332 to C. "A" H-505)

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. 128 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

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

(H.P. 555) (L.D. 899)
(S. "A" S-281 to C. "A" H-202)

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. 112 voted in favor of the same and 10 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

Emergency Measure

An Act Regarding Liquor Service by Catering Services for Special Events at Licensed Wineries, Small Wineries, Breweries, Small Breweries, Distilleries and Small Distilleries

(S.P. 543) (L.D. 1378)
(C. "A" S-302)

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. 110 voted in favor of the same and 1 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 Specialty License Plate Laws and Extend the Moratorium on Approval of Specialty License Plates and Remove the Authority of Municipalities to Issue Driver's Licenses

(S.P. 738) (L.D. 1822)
(C. "A" S-288)

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 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, Directing the Department of Education to Develop a Pilot Program to Help Maine Students Avoid Homelessness

(S.P. 641) (L.D. 1609)
(C. "A" S-290)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 107 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Mandate

An Act to Provide Career and Technical Education Students with Credit Toward High School Graduation for Work Completed in Career and Technical Education Centers and Regions

(H.P. 269) (L.D. 436)
(C. "A" H-498)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 21 of Article IX of the Constitution, 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.

Acts

An Act to Prevent Retaliatory Evictions

(S.P. 37) (L.D. 45)
(C. "A" S-303)

An Act Regarding Campaign Finance Reports

(S.P. 121) (L.D. 255)
(C. "A" S-271)

An Act to Protect Against Discrimination by Public Entities

(H.P. 177) (L.D. 279)
(C. "A" H-467)

An Act to Require Transparency in Public Utility Advertising Expenditures

(S.P. 146) (L.D. 325)
(S. "A" S-284 to C. "A" S-155)

An Act to Amend the Eligibility Criteria for Creditable Service in the Armed Forces of the United States Under the State Retirement System and to Require Specific Reporting

(H.P. 259) (L.D. 426)
(C. "A" H-507)

An Act Regarding Animals Abandoned by Tenants

(H.P. 448) (L.D. 679)
(C. "A" H-508)

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)
(C. "A" S-287)

An Act to Improve School Safety and Preparedness Through Comprehensive Health and Safety and Emergency Management Planning

(S.P. 384) (L.D. 892)
(C. "A" S-165)

An Act to Meet the Needs of Individuals with Severe Behavioral Health Diagnoses

(H.P. 563) (L.D. 907)
(C. "A" H-496)

An Act to Protect Maine Patients Regarding Hospital Price Transparency

(H.P. 600) (L.D. 953)
(C. "A" H-400)

An Act to Support Family Caregivers by Expanding Family Medical Leave

(H.P. 635) (L.D. 999)
(C. "A" H-481)

An Act to Fund Free Health Clinics

(H.P. 733) (L.D. 1161)
(C. "A" H-440)

An Act to Protect Homeowners from Unfair Agreements to Exclusively List Residential Real Estate for Sale

(H.P. 831) (L.D. 1306)
(C. "A" H-487)

An Act to Expand Access to School Construction Funding

(H.P. 911) (L.D. 1415)
(C. "A" H-476)

An Act to Promote Family-centered Interventions for Substance Use Disorder Treatment

(H.P. 935) (L.D. 1439)
(C. "A" H-494)

An Act to Fund the Recommendations of the Mountain Division Rail Use Advisory Council

(S.P. 568) (L.D. 1450)
(C. "A" S-289)

An Act to Prevent Dating Partner Abuse by Including Dating Partners in the Scope of Domestic Violence Crimes

(S.P. 579) (L.D. 1461)
(C. "A" S-274)

An Act to Require the Consideration of Restitution to Support a Child Whose Parent Is Killed During the Commission of a Crime

(H.P. 967) (L.D. 1512)
(C. "A" H-468)

An Act to Update Criminal Indictment Procedures and Expand the Provision of Counsel to Certain Indigent Defendants

(S.P. 642) (L.D. 1625)
(C. "A" S-221)

An Act to Improve Disclosure of Lobbyist Activities

(S.P. 644) (L.D. 1627)
(C. "A" S-301)

An Act to Encourage Participation in Maine's Essential Support Workforce Through Access to Higher Education

(H.P. 1107) (L.D. 1718)
(C. "A" H-450)

An Act to Build Maine's Economy by Supporting Child Care for Working Families

(S.P. 690) (L.D. 1726)
(C. "A" S-266)

An Act to Protect Employee Freedom of Speech

(S.P. 702) (L.D. 1756)
(S. "A" S-291)

An Act to Develop and Provide Technical Assistance for Meat Slaughtering and Processing

(H.P. 1131) (L.D. 1767)
(C. "A" H-484)

An Act to Increase Oral Health Services

(H.P. 1169) (L.D. 1837)
(C. "A" H-486)

An Act to Authorize the Secretary of State to Provide a New General Issue of License Plates

(H.P. 1262) (L.D. 1965)
(C. "A" H-499)

An Act to Allow the Adjutant General to Sell the Calais Armory

(S.P. 816) (L.D. 1987)
(C. "A" S-300)

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 Expand the Eligibility for and Increase the Number of Hours of Applied Behavior Analysis Services Authorized by the MaineCare Program

(H.P. 290) (L.D. 473)
(C. "A" H-501)

Resolve, Establishing a Working Group to Maximize Eligibility for Energy Efficiency Programs for Low-income Homeowners

(H.P. 388) (L.D. 611)
(C. "A" H-480)

Resolve, to Improve the Convenience of Public Restrooms

(H.P. 444) (L.D. 675)
(H. "A" H-525 to C. "A" H-474)

Resolve, Directing the Department of Education to Study the School Day

(H.P. 638) (L.D. 1002)
(C. "A" H-477)

Resolve, to Increase the Provision of Children's Behavioral Health Services in Rural Areas to Provide Support for Families of Children Receiving Services

(H.P. 784) (L.D. 1236)
(C. "A" H-495)

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

(S.P. 523) (L.D. 1286)
(C. "A" S-296)

Resolve, Directing the Department of Health and Human Services to Expedite Reimbursement of Long-term Care Facilities

(S.P. 593) (L.D. 1474)
(C. "A" S-292)

Resolve, Directing the Board of Pesticides Control to Transition to Electronic Submission of Pesticides Sales and Use Data

(H.P. 1134) (L.D. 1770)
(C. "A" H-485)

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

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

(H.P. 637) (L.D. 1001)
(C. "A" H-195)

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

On motion of Representative O'NEIL of Saco, was **SET ASIDE**.

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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 Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 231

YEA - Albert, Ankeles, Arata, Ardell, Arford, Bell, Blier, Boyle, Bradstreet, Brennan, Bridgeo, Carlow, Carmichael, Collings, Copeland, Crafts, Craven, Crockett, Cyrway, Davis, Dill, Doudera, Drinkwater, Fay, Foster, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Haggan, Hasenus, Hepler, Hobbs, Jackson, Jauch, Kuhn, Landry, LaRochelle, Lookner, Madigan, Malon, Mason, Mastraccio, Mathieson, Matlack, Meyer, Millett H, Millett R, Montell, Moonen, Moriarty, Morris, Murphy, O'Connell, Parry, Perry A, Perry J, Pluecker, Polewarczyk, Pringle, Reckitt, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Shagoury, Sheehan, Simmons, Skold, Stover, Supica, Swallow, Terry, Thorne, White B, Williams, Wood, Woodsome, Worth, Zager, Zeigler, Madam Speaker.

NAY - Abdi, Andrews, Babin, Bagshaw, Boyer, Cluchey, Collamore, Costain, Cray, Dhalac, Dodge, Ducharme, Dunphy, Eaton, Faulkingham, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Hall, Hymes, Javner, Kessler, Lavigne, Lee, Lemelin, Libby, Lyman, Milliken, Ness, Newman, Nutting, O'Neil, Osher, Paul, Perkins, Poirier, Pomerleau, Quint, Rana, Riseman, Rudnicki, Sampson, Sayre, Schmursal-Burgess, Smith, Soboleski, Strout, Theriault, Underwood, Walker, Warren, White J.

ABSENT - Adams, Campbell, Cloutier, Galletta, Henderson, Lanigan, Paulhus, Shaw.

Yes, 88; No, 54; Absent, 8; Vacant, 0; Excused, 1.

88 having voted in the affirmative and 54 voted in the negative, with 8 being absent and 1 excused, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

**CONSENT CALENDAR
First Day**

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

(S.P. 260) (L.D. 592) Bill "An Act to Amend the Law Governing MaineCare Coverage of Chiropractic Treatment" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-320)**

(S.P. 647) (L.D. 1630) Bill "An Act Regarding Campaign Finance and Lobbying Disclosure and Enforcement of Income Source Reporting Requirements" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-322)**

(S.P. 701) (L.D. 1755) Bill "An Act to Exempt All Youth Development Nonprofit Organizations from Sales Tax and the Service Provider Tax" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-315)**

(S.P. 813) (L.D. 1984) Bill "An Act to Allow Golf Courses to Obtain a License to Conduct Off-premises Catering" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-323)**

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.

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

COMMUNICATIONS

The Following Communication: (H.C. 212)

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

June 15, 2023

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

Dear Speaker Talbot Ross:

Pursuant to Joint Rule 310, the following Joint Standing Committee has voted unanimously to report the following bill out "Ought Not to Pass:"

Appropriations and Financial Affairs

L.D. 1607 An Act to Stabilize the Pension Funds of the Maine Public Employees Retirement System

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

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

The Following Communication: (S.C. 628)

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

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 To Pass as Amended Report from the Committee on Health and Human Services on Bill "An Act to Ensure Treatment for MaineCare Recipients with Serious Mental Illness by Prohibiting the Requirements for Prior Authorization and Step Therapy for Medications" (H.P. 924) (L.D. 1428) in non-concurrence.

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

READ and ORDERED PLACED ON FILE.

The Following Communication: (S.C. 631)

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

June 14, 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 Criminal Justice and Public Safety on 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) 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-297)** on Bill "An Act to Protect Maine's Transit Employees"

(S.P. 721) (L.D. 1796)

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 "B" (S-298)** 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-297).**

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-297)** 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-297)** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act Regarding Parental Rights in Education"

(S.P. 725) (L.D. 1800)

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-293)** 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, Ladies and Gentlemen of the House. Here we have another bill before us addressing concerns about parents' rights. This is reflective of an increasing issue throughout our State. I ask that we in this Chamber consider their concerns as we are in a position to respond to their plights. Unfortunately, parents have been facing a wall of dismissive attitudes and reactions from

administrators and School Boards. Parents deserve to be heard. But let's consider why they are upset. There are numerous concerns in play but many are concerned their children are not thriving in our schools. There is a common theme facing this outcry. Schools have gone too far taking control away from parents. Schools have gone too far with their control through the educational bureaucracy. Schools have gone too far with the power shift away from parents' rights and their authority.

Please consider, Madam Speaker, time and time again, studies and research have validated the most critical component to student success is parental involvement. It has previously been stated in this Chamber but bears repeating; parents' engagement supersedes; supersedes the most amazing teachers, and we have them, the most creative and exciting curricula or even the most involved and tremendous coaches, principals or counselors. None have a greater influence on a child's success in school than their own parent. Interestingly, this holds true regardless of socioeconomic barriers.

Therefore, this bill seeks to reestablish a balance between school and home. By reestablishing trust between parents and administrators, by reestablishing confidence between parents and teachers, by reestablishing healthy, productive communication between parents and all those involved. And also, by reestablishing and reinforcing procedures and practices that support parents' fundamental right to honor and respect and reaffirm parents' rights. Parents are firmly in charge of their child's upbringing, education and well-being. While we simultaneously, respectfully, value the role of teachers and school systems, there are no credentials or degrees that can hold a candle to a parent's vested interest in their child's future through education, mental and physical health. Let's reset our children on a path of our past proven practices and I ask that you would follow my light. Thank you.

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

ROLL CALL NO. 232

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, 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, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

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

ABSENT - Adams, Cloutier, Galletta, Shaw.

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 Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-317)** on Bill "An Act to Ensure That a Teacher Who Participates in the Prevention of Dangerous Behavior Is Protected Under a Collective Bargaining Agreement"

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

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-317)**.

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-317)** 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-317)** in concurrence.

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-321)** on Bill "An Act to Ensure Health Care for All Maine Residents"

(S.P. 150) (L.D. 329)

Signed:

Senators:

BAILEY of York
RENY of Lincoln

Representatives:

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

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

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

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

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-321).**

READ.

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

Representative MORRIS of Turner **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 Turner, Representative Morris.

Representative **MORRIS**: Thank you, Madam Speaker. I rise in opposition to the pending motion. Just last Session, as I said before, we created the Office of Affordable Health Care. The new Director is in place. They are supposed to be taking a look at these things. I believe that doing more studies would be duplicative. The other problem this bill suffers from is the fact that much of the stuff that is seeking to be studied is stuff that's been looked at and would be nearly impossible for us to implement on a Statewide level. It, again, proposes to take a look at a single-payer health care system. This is something that is difficult to implement at a State level. The State of Vermont studied doing it and they abandoned it when they figured out it was going to cost 11% payroll tax as well as an increase to 11% income tax. This is really not something that I think we should be studying. We've already done things, created the Office of Affordable Health Care. Continuing these types of studies, there are real issues within our health care system right now that need to be addressed such as the cost that mandates continue to add to our health care system, the issues of consolidation of our health care services, none of that is being looked at in this bill with this study. I would urge this Body to reject this motion and let's look at the things we can really do as a State in dealing with our health care system and our health care industry rather than going forward with more studies of things that have already been studied and we've already figured out that we can't do. Thank you.

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

Representative **MASTRACCIO**: Thank you, Madam Speaker. Madam Speaker, Women and Men of the House, I rise in support of the motion before us. The amended version of LD 329 is a Resolve, to Establish the Blue Ribbon Commission on Guaranteed Health Care. It is the result of a number of bills we heard in Committee and will study the design

and the implementation of options for a health care system that would guarantee health care for all residents of our State, with a final report back to the 132nd Legislature, and I urge your support of this motion.

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

Representative **PRINGLE**: Thank you, Madam Speaker. I rise in support of this motion. I respect my colleague, Representative Morris, who served on our Committee. But the goal of this Commission is not to develop a single-payer system. It is to try to; similar to the Blue Ribbon Commission that worked on EMS services, bring all the stakeholders together and work together to find a way to make the system work at the lowest cost, at the best outcomes. We had three bills before our Committee that we consolidated into this bill and the idea that we would bring all stakeholders together to find a way to fix all the problems. We have many, many bills and we'll have some we discuss today where if we had better health care system and access to health care for a lot of conditions that we're doing a little bill here and a little bill there, and I believe that all the stakeholders coming together may be able to make a proposal which could apply for an innovation grant under the CMS options. Maine is a State that has rural and urban but we're also a small State and we might be a key applicant for an innovation grant but in order to achieve that or apply for it, we need to bring all the stakeholders together to say okay, what system do we want. And one of the proposals is to look at a multi-payer system similar to the German system or similar to Taiwan's system. So, I really urge you to support this bill so that we can move forward on fixing a lot of our problems.

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

Representative **ARFORD**: Thank you, Madam Speaker. I stand just to provide additional information in that the information provided so far is comparing this bill to an earlier bill that we passed, it just so happens to be my bill. That bill is not directly related to this bill. That bill is a very focused bill that simply amends a law that was passed previously to study a public option, which is not publicly funded, it's simply publicly administered. I just want to make that clarifying point.

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. 233

YEA - Abdi, Ankeles, Arford, Boyle, Brennan, Bridgeo, 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, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, 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, Bell, Cloutier, Galletta, Shaw.

Yes, 79; No, 66; Absent, 5; Vacant, 0; Excused, 1.

79 having voted in the affirmative and 66 voted in the negative, with 5 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-321)** 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-321)** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-307)** on Bill "An Act to Amend the Laws Regarding Violations of Condition of Release"

(S.P. 567) (L.D. 1449)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York
BRAKEY of Androscoggin

Representatives:

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

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

Signed:

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
POIRIER of Skowhegan

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (S-307)** Report.

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-307)**.

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-307)** 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-307)** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-306)** on Resolve, to Study the Adoption of the Uniform Common Interest Ownership Act (EMERGENCY)

(S.P. 667) (L.D. 1662)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

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

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

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford
POIRIER of Skowhegan
RECKITT of South Portland

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

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-306)**.

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" (S-306)** 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-538)**, which was **READ** by the Clerk.

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

Representative **MOONEN**: Thank you, Madam Speaker. This amendment simply removes the emergency clause. Thank you very much.

Subsequently, **House Amendment "A" (H-538)** was **ADOPTED**.

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-306)** and **House Amendment "A" (H-538)** in **NON-CONCURRENCE** and sent for concurrence.

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

Five Members of the Committee on **JUDICIARY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-311)** on Bill "An Act to Promote Water Conservation and Water Quality and Create Habitat for Wildlife, Including Pollinator Species, by Protecting Low-impact Landscaping"

(S.P. 266) (L.D. 649)

Signed:

Senators:

CARNEY of Cumberland
BRAKEY of Androscoggin

Representatives:

KUHN of Falmouth
MORIARTY of Cumberland
SHEEHAN of Biddeford

Four Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "B" (S-312)** on same Bill.

Signed:

Senator:

BAILEY of York

Representatives:

MOONEN of Portland
LEE of Auburn
RECKITT of South Portland

Four Members of the same Committee report in Report "C" **Ought Not to Pass** 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 Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-311)**.

Came from the Senate with Report "B" **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "B" (S-312)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "B" (S-312)** 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 "B" (S-312)** in concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act to Provide a Turnpike Gasoline Fairness Credit for Maine Turnpike Drivers"

(S.P. 351) (L.D. 792)

Signed:

Senators:

GROHOSKI of Hancock
CHIPMAN of Cumberland
LIBBY of Cumberland

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-299)** on same Bill.

Signed:

Representative:

LIBBY of Auburn

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

READ.

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

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act to Support Municipal Public Safety by Increasing State-Municipal Revenue Sharing to 7 Percent"

(S.P. 429) (L.D. 1060)

Signed:

Senator:

GROHOSKI of Hancock

Representatives:

PERRY of Bangor
CARMICHAEL of Greenbush
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" (S-326)** on same Bill.

Signed:

Senators:

CHIPMAN of Cumberland
LIBBY of Cumberland

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

READ.

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

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act to Exempt Prescription Pet Medications from Sales Tax"

(S.P. 676) (L.D. 1689)

Signed:

Senators:

GROHOSKI of Hancock
LIBBY of Cumberland

Representatives:

CARMICHAEL of Greenbush
HASENFUS of Readfield
LAVIGNE of Berwick
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" (S-327)** on same Bill.

Signed:

Senator:

CHIPMAN of Cumberland

Representatives:

PERRY of Bangor
CROCKETT of Portland
RANA of Bangor

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-327)**.

READ.

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

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-316)** on Bill "An Act to Phase Out the Insurance Premium Tax on Annuities"

(S.P. 683) (L.D. 1720)

Signed:

Senators:

GROHOSKI of Hancock
LIBBY of Cumberland

Representatives:

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

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

Signed:

Senator:

CHIPMAN of Cumberland

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-316)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-316)** 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-316)** in concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Require Disclosure for Communications Paid for Using Maine Clean Election Act Funding"

(S.P. 349) (L.D. 790)

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 to Pass as Amended by Committee Amendment "A" (S-324)** on same Bill.

Signed:

Senator:

TIMBERLAKE of Androscoggin

Representatives:

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

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

READ.

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

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

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

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

ROLL CALL NO. 234

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, 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, Rielly, Riseman, Roberts, Roeder, Runte,

Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Sheehan, Skold, Stover, Supica, Terry, Warren, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

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

ABSENT - Adams, Cloutier, Galletta, Reckitt, Shaw, Wood.

Yes, 79; No, 65; Absent, 6; Vacant, 0; Excused, 1.

79 having voted in the affirmative and 65 voted in the negative, with 6 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

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

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-548)** on Bill "An Act to Prevent Opioid Overdose Deaths by Establishing Safe Consumption Sites"

(H.P. 878) (L.D. 1364)

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

SALISBURY of Westbrook

LOOKNER of Portland

MADIGAN of Waterville

MATHIESON of Kittery

MILLIKEN of Blue Hill

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

Signed:

Senator:

HARRINGTON of York

Representatives:

ARDELL of Monticello

NEWMAN of Belgrade

NUTTING of Oakland

PERKINS of Dover-Foxcroft

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-549)** on same Bill.

Signed:

Representative:

HASENFUS of Readfield

READ.

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

Representative NUTTING of Oakland **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 Oakland, Representative Nutting.

Representative **NUTTING**: Thank you, Madam Speaker, Men and Women of the House. I rise to oppose the current motion for it is "An Act to Prevent Opioid Overdose Deaths by Establishing Safe Consumption Sites." Safe consumption sites are part of a harm reduction program. A harm reduction program by itself is a pessimistic philosophy on life. A Dr. Mark Tyndall, a physician; a medical physician, has said that sobriety is outdated and needs to be abandoned. Without casting any aspersions on the sponsors of this bill about their motives, for I don't know what their motives were; but it has been reported in journals that harm reduction can be divided into three sections. The first section of harm reduction involves needle exchange so that people are able to have access to clean needles like you'd get in the pharmacy rather than in a crack house or in an opium den or on the side of the street. That's number one, needle exchange. The second part of the program involves what we're discussing here today and that is safe injection sites. Safe injection sites are sites where people are able to go, use the drug of their choice, usually heroin or methamphetamine, and have medical professionals on hand or nearby such that if there is an overdose, they are then able to deal with them with Narcan or whatever it takes or to call an ambulance to get them to an emergency room. The third part, according to the philosophy that I read, involves legalizing all drugs, with access to ATM dispensers for the drugs of choice. And that's because the needle exchange program, number one, has not performed as hoped; number two, I submit, will not perform as expected; so we are left with number three which, according to some reports I've read, is the game plan for some people.

I urge you to read, if you have a chance, about what happened in Vancouver, British Columbia, and how they had instituted a safe injection site. Currently, New York City has two and Rhode Island has just, I believe, passed a law to have one or that maybe they're in the process of getting one. These sites in the United States are illegal by Federal Law. You will hear, undoubtedly, that no one has died in a safe injection site, and I believe that's true. However, safe injection sites act as a magnet that attracts people who are addicted to drugs to a site which then becomes a death trap for them. For they don't die during the hours that the safe site is open, they die after hours because they don't just use drugs during the day, they use drugs 24 hours a day. So, one of the bad things that it does, in my opinion, is that it concentrates the vulnerable, immunocompromised populations into tight quarters, just waiting; waiting, Madam Speaker, for the next catastrophe, whether it's COVID, another form of AIDS, another form of kidney disease, liver disease or something that will wreak havoc on the people that are there.

There is still no evidence that there is a reduction of addiction deaths, overdose deaths in the State of Maine have climbed to a what we all will agree is an unacceptable level. Although some of the things the State is now doing have reduced that, have kind of leveled off the increase, shall we say, in the first four months of this year as compared to the first four months of last year. So, it appears that we're doing something that may actually be working. So, instead of doing safe injection sites, I believe that we need to lead addicts out of the darkness, not invent more ways to keep them in the dark, although possibly safer. Thank you, Madam Speaker.

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

Representative **PERKINS**: Thank you, Madam Speaker, my Fellow Members of the House. I stand opposed to the motion. Proponents of safe injection sites often quote the so-called success of the Insite facility in Vancouver. What they don't tell you is that most of the very few studies that actually exist are either partially or fully funded by Vancouver Health, which is the business partner of Insite. But according to Harvard Economic Review, the number of criminal incidents of unlawful drug possession in the area has risen from about 200 per year prior to 2013 when that facility opened to over 800 per year where it stands today. Additionally, while violent crime had been on a continuous and drastic decline in that city since 2005, it rose dramatically after it opened and is at an all-time high and it continues upward.

Safe injection sites do not prevent overdoses and they definitely do not decrease drug use. But people are still dying, Madam Speaker, they're just not doing it on the clinic floor. As my friend the Representative from Oakland said that, you know, they're not just using the narcotics safely in the clinic, they're using them after hours and anyone that is overdosing while at the clinic, they're dying in the ambulance on the way to the ER, they're dying at the ER, or they're leaving the clinic and they're still dying at their homes or in the alleys.

But the word safe in safe injection site, Madam Speaker, only means that they're safe from prosecution. We have seen similar results in the United States. Law enforcement agencies right now in Oregon are overrun with crime and overdose rates as they decriminalize drugs in that state. In Pioneer Square in Seattle and the historic district of Tenderloin in San Francisco, in Kenzo in Philly, which is the Kensington neighborhood, crime has been increasing, businesses are closing, property values are dropping, business from shoppers and tourists have been on constant decline. You don't find these facts reflected in any of those few studies that exist touting the benefits of safe injection sites but they're facts just the same, Madam Speaker. You only need to look at the local newspapers, the social media of the residents of those areas, the for-sale signs and the closed signs on the businesses and the local police logs.

Madam Speaker, addiction has touched all of our communities in Maine and most of our families, including mine. But we need real solutions, solutions that will not impoverish our communities or drag down our citizens while chasing the dream of a non-recovery recovery model. Instead of supporting harm reduction models which only prolong addiction in the name of reducing deaths, we need to celebrate the actual victory of recovery and the name of supporting lives. Let's not bring unsafe injection sites to Maine. Thank you, Madam Speaker.

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

Representative **LOOKNER**: Thank you, Madam Speaker. I introduced this bill on the behalf of my friends: Jessie, Ashley, Aaron, Chris, Erica, Mike, Logan, Justin and John. None of them could be here at the State House today because they're among the thousands who tragically died from preventable opioid overdose deaths in recent years. They were mothers and fathers, sons and daughters, partners, friends and coworkers. They were teammates, roommates, bandmates and soulmates. They were productive members of society and contributing members of their communities. They were all young and had full lives ahead of them. All of their deaths could have been avoided. It is in their names, and the names of countless other Mainers who have lost their lives to this preventable tragedy, that I introduced this legislation.

It's time that our State cry mercy. Seven hundred and sixteen overdose deaths in 2022 set a record for the third year straight and represents a staggering one in 2,000 of our neighbors who succumbed to an opioid overdose death last year. This crisis has shown us that what we are doing is not working. Each year, law enforcement removes more fentanyl from the streets and busts more traffickers, yet the death toll keeps on rising. If simply removing the supply of opioids from the streets were sufficient to slow the pace of this ongoing tragedy, we would've seen results by now. But if the purpose of the war on the drugs is to save lives and to create public safety, it's time to admit we lost.

We need a new approach and, thankfully, effective, compassionate, safe and merciful life-saving solutions do exist if we're willing to try them. One such approach is to permit harm reduction health centers in our communities in Maine. Other states are starting to heed the call and to pick up on the successful efforts that other countries have been pursuing for decades. New York, Rhode Island and Minnesota have all recently established or are in the process of establishing harm reduction health centers, with the federal government allocating \$5 million to study their effectiveness. The American Medical Association, that radical group, has said that harm reduction health centers, quote; reduce the number of overdose deaths, reduce transmission rates of infectious disease, increase the numbers of individuals initiating treatment for substance use disorders without increasing drug trafficking or crime in the areas where the facilities are located, unquote. Maine can be a leader in this movement and save countless lives by embracing these centers now and passing this motion.

Harm reduction health centers are facilities where people who use drugs can consume previously-obtained drugs under the supervision of peer support specialists and other medical personnel. Worldwide, not a single overdose death has ever been recorded at a harm reduction health center. They offer low-barrier access to treatment and recovery services and they reduce public consumption and litter associated with drug use.

All this bill would do is to allow municipalities to establish these facilities in their communities if they choose to do so as part of their opioid use response. There is no cost to either the State nor to the participating municipalities. In that sense, this is a home rule issue. If your community doesn't want one of these facilities, they don't have to have one.

Most experts agree that treating opioid use disorder as a criminal problem only serves to further stigmatize users and to force them deeper into the shadows from which far too many never reemerge. Substance use is a complex phenomenon compounded by trauma, social isolation and behavioral and mental health issues. Going after low-level nonviolent users of opioids and other drugs using the tools of the criminal legal system only serves to increase the number of people struggling with mental illness and behavioral health issues in our State's prisons and jails. We need to extend real hope, access to treatment and recovery and opportunities for individuals to rebuild their lives and participate in their communities all across Maine. We need harm reduction health centers. The opioid overdose crisis has touched the lives of everyone in our State including everyone in this Chamber regardless of political party, creed, class or ethnicity. This is not a Democrat or a Republican or an Independent issue. We all want to save as many lives as possible and this is the merciful approach for our State.

There's a saying in the recovery community that the definition of insanity is trying the same thing over and over again and expecting different results. It's time that Maine tried something new and join the 14 other countries and three other

states that have successfully created harm reduction health centers and support this bill. While there is no bringing back Jessie, Ashley, Aaron, Chris, Erica, Mike, Logan, Justin or John or the hundreds of others who are needlessly dying every year due to our antiquated approach to opioid use founded on misunderstanding, stigma and superstition, these deaths of despair can be reduced and lives rebuilt by enacting this law and allowing for harm reduction health centers in participating municipalities. It is the merciful approach for Maine. Please join me in supporting this motion so we can begin to stem the tide of preventable deaths in our State that are happening every day. Thank you, Madam Speaker.

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

Representative **ROEDER**: Thank you, Madam Speaker. Madam Speaker, Members of the House, I rise in support of LD 1364 and urge you to join me. As the Good Representative from South Portland said, each of us in this room knows or loves someone who struggles with substance use disorder. By the end of this past February, a total of 1,577 overdoses, fatal and nonfatal, were reported in the State of Maine. In two short months, over 1,500 of our friends and neighbors died or came close to dying from substance use disorder and yet, we remain locked in the binary thinking about how to treat this disease. Either a person with SUD must actively seek recovery or go to jail. It's a false dichotomy and one that's killing Mainers.

Madam Speaker, as you know, I'm a foster parent, now an adoptive parent of two children and it is difficult for me to say this because being a parent to these remarkable young men is the greatest honor I have ever had and will ever have. They're the loves of my life. They are also beloved, cherished and deeply missed by their biological mother. Every day, I'm reminded that my greatest joy is someone else's greatest sorrow. My sons' mother is kind and intelligent. She's a loving person. She was an honor student. She has a sparkling wit and a giant heart. She, like so many other parents whose children are in foster care, is affected by substance use disorder. She has struggled to find appropriate recovery programs. She has relapsed and I live in abject fear that one day she will overdose alone. I dread that the day may come that I might have to tell my boys that their mother is gone.

I was also fortunate to be a volunteer with the low barrier warming center during the polar vortex at the beginning of February. I have to confess to doing very little work but quite a lot of listening. I spoke with a gentleman named Bob who told me that he had personally watched five of his friends die of overdoses on the streets. It was hard in that moment to muster anything to say to Bob that might be hopeful. Bob himself said that he didn't believe anyone actually cared about people like his friends, like him. People don't care about us, said Bob. People don't give a damn.

This bill allows the most impacted municipalities in Maine to contract with providers to create safe consumption sites where peer recovery and medical specialists will ensure that people using previously-obtained drugs do not die while consuming them. We simply cannot think of substance use disorder as a moral failing worthy of punishment. I can think of no crueller mindset. Bob said to me that he believes he'll die on the streets himself before we make any kind of meaningful impact in addressing substance use disorder. He said he was sure he'd have to see a few more of his friends die before he did, too. Bob's words have echoed in my mind since that cold February Saturday and I share them so that they will echo in yours, too. If we're not able to actually come together and do something during this Legislature to meaningfully support those

with substance use disorder, those deaths will be on my head. They'll be on all of our heads. Please join me in supporting 1364.

The SPEAKER: The Chair recognizes the Representative from Winterport, Representative Paul.

Representative **PAUL**: Thank you, Madam Speaker. I rise in opposition to the pending motion. I'd like to share some of the concerns of the people who will be policing these sites, including concerns from Sheriffs, State troopers, and local police departments who I've had discussions with. Supervised injection sites do little to reduce the overall demand for illicit drugs. Since 2019, there has been a concerted effort to decriminalize possession of these illicit drugs. The Maine Center for Sensible Drug Control Policy released a report outlining legislative priorities in 2019 and since that time, nearly all of the social justice reform measures have been introduced as legislation. Safe injection sites were one of those priorities in an effort to move toward the broader objective of a decriminalization of drug possession. In order for the concept of a safe injection site to be functional, there must be a zone around that site that would allow for *de facto* decriminalization, allowing consumers to safely transport their drugs to and from the site without interdiction by law enforcement.

Vancouver's Insite, North America's oldest and first established safe injection site, is often used as the gold standard model. Safe injection sites have been in operation for 20-plus years now in Vancouver. A deeper look at the impact in Insite in relation to effectiveness, ability to reduce the demand for illicit drugs, the effects on businesses and residents in the area immediately surrounding Insite and crime reveals the following. As safe injection sites are good at what they do, which is really one thing, prevent people from dying while inside the facility, it did not reduce the overall demand for illicit drugs. There was no reduction in crime. There were overall degradation of areas surrounding Insite. Drugs were obtained on the black market, making this area a vibrant market for drug suppliers. Crimes committed to facilitate addiction impacted surrounding areas. Most addicted persons that use a supervised injection site still use drugs primarily outside of the site on the streets, using drugs when it was a matter of convenience and compulsion. It created a *de facto* decriminalization zone for drug possession which, in turn, created a low risk and high reward area for traffickers. It did not lead to healthy neighborhoods or people. Community safety issues were ignored over the desire to provide safe drug use and that resulted in public apathy and a feeling of helplessness contributing to unreported crimes and victimization. There was also limited data involved whether HIV and AIDS cases were dropped due to safe injection sites. There was slim evidence to show a reduction in overall addiction rates, marginal at best, and detoxification success rate was very low. And there was very little collection of data that could demonstrate lasting benefits. Currently in Vancouver, their overdose rates are skyrocketing. Homelessness and encampments on city sidewalks have increased. Crime has increased. Social services and support systems are over capacity and drug supply and demand has increased. There are now numerous safe injection sites throughout Vancouver, yet the problems have intensified.

Oregon decriminalized possession of drugs two years ago and here are the results; increase in crime, increase in supply and demand, increase in overdoses, degradation of neighborhoods and business districts, social services and support systems are over capacity and an increase in homelessness and public encampments. Oregon's experience is much the same as Vancouver's. We can look at any major

city in the United States that implements such policies or institute a policy of permissiveness toward these issues and they all have failed results.

We are entrusted by the people of Maine to look out for their interests. Safe injection sites that require a *de facto* decriminalization of drug zones and the outright decriminalization of drug possession is a bad public policy that will bring disastrous and long-lasting results to all Mainers. It will intensify our problems and overwhelm our systems. It will cost lives and it will impact the quality of life for all. As we struggle with finding workable solutions to combat our drug epidemic, we must recognize that we have to consider the illicit drug economy and then employ models that influence behaviors regarding supply and demand and making investments in the realms of education, enforcement, access to treatment and sustainable recovery. It is through a balanced, pragmatic approach that we can have a functional drug control strategy. Strategies that inordinate permissiveness remove consequences and the impetus to change; an 'all-carrot-and-no-stick' approach, which is detrimental to all involved. There are better ways to impact a drug control strategy, things that can work when properly supported and balanced. We must invest in education, access to treatment, recovery services and enforcement. Accountability and compassion combined; a carrot and a stick. I ask everyone in this Chamber to think about the impact of safe injection sites and decriminalization. Your vote must truly reflect the interests of all Mainers. History will judge us all in moments like this. Please join me in opposition against this and let's work together to find a more meaningful and impactful solution. Remember lessons learned from Vancouver and Oregon. Predictable is preventable. Thank you, Madam Speaker.

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

Representative LANIGAN: Thank you, Madam Speaker. I stand today in support of this motion and I'd like to speak to that. I am here today to speak on behalf of LD 1364, "An Act to Prevent Opioid Overdose Deaths by Establishing Safe Consumption Sites." The key in that is; is this is not a safe injection site.

I'm going to be honest with you. I used to believe that addiction was a personal choice and anyone who is addicted should just stop using drugs. I believed that harm reduction was enabling people to use drugs. I believed that Narcan didn't truly save lives and that it only extended them until the next overdose. I used to believe the only way to control our drug crisis was to have strong penalties to deter our drug use. Well, I'm here today to say that I was wrong. And how I know I was wrong is because I've lived it. My son, who will turn 21 years old tomorrow, two years ago on Christmas Eve, my wife and I were giving Narcan and CPR on the floor of our spare bedroom as he went into cardiac arrest from an overdose. Luckily, we had the means at our disposal to be able to provide these life-saving services.

Addiction is not something that we can sum up in a floor speech. Addiction is not something that we're going to solve today, Madam Speaker. Addiction is something that we need multiple tools to come to a solution with. And today's bill is just one of those tools. I'd ask my colleagues and I ask you, Madam Speaker, let's say this only prevents 10% of the deaths this year. Isn't 40 Mainers' lives worth this bill in front of us?

Today, my son, even after OD'ing, he decided that he did not want to follow the path of sobriety and he took seven months or so to continue using. It wasn't until October 31st, on Halloween eve, that I got a call from my son asking for help. Three days later, he tried taking his own life using pills and heroin, and because of that, he was able to get the mental health

services that he needed to actually conquer the demon of addiction. Through medication and therapy, today, he is seven months sober, he works 40 hours a week and pays taxes and he is giving back to his community what he has taken from them. I couldn't be more proud to have him as my son.

So, when we talk about solutions and we talk about what we opine might be the right answer or the wrong answer; there isn't one. I wish there was. I wish it was that simple. Today, I truly believe that addiction is a chronic brain disease that requires a medical solution, not a legal one; that harm reduction is a set of practical strategies and ideas aimed at reducing negative consequences associated with drug use. Narcan is a medication that reverses the effects of an overdose and the only way to control our drug crisis is to implement evidence-based solutions that prioritize keeping our friends, our family and our community members alive.

I am supporting LD 1364 because across the State of Maine our community members are dying at astonishing rates. We are losing mothers, fathers, sons and daughters, uncles and aunts and brothers and sisters daily. The cost on our society from EMS response to taking care of children that are now parentless to people that haven't been able to seek the solution that works for them. We have spent millions of dollars, many lives, and people are still dying. Harm reduction health centers are only one thing we haven't tried and it's really simple for me. The bill costs Maine taxpayers nothing. My side of the aisle should love that. It gives the power to the communities, home rule. We should all love that, Madam Speaker. If your community doesn't feel like this is the right fit, don't implement it. If you feel that you've tried everything in your community and this is one area where you haven't explored, you can give it a shot.

I want to just get rid of a couple misnomers before I sit down today; we're not talking about a night club or a bar where we're going to go with our friends and get high. We're talking about taking an addict out of the shadows, out of an abandoned house, and bringing them to an area where they will be surrounded by people who are medical professionals. Medical professionals. They are going to guide them not how to use drugs but how to safely use drugs on their path to recovery. Because my son, if I would've given up on him three years ago, we wouldn't be talking about him today turning 21 tomorrow. I'd be going to visit a gravesite, which thank God, I am not. This is not an ATM for drugs. This is where they might test their drugs and see if there's fentanyl in it that will kill them. We are seeing in our streets the disposal of needles regardless. We're seeing addicts in our parks, we're seeing them spread across many facets of our community. So, this might consolidate that problem into one but it also will bring some responsibility and it will alleviate some of those pressures from our parents trying to enjoy the parks and not seeing dirty needles on the sidewalks.

I understand where everybody has their own personal feelings and I respect that, Madam Speaker, I really do, and I'm not here to change anyone's mind, nor do I expect to. I just want people to understand the whole picture and this is only a piece of the whole picture. One little sliver. And if you could just take a bunch of pieces and put them together and save some lives, I'd say why not. It sounds like pro-life to me. Safe injection sites are not what these are; these are harm reduction centers with health care professionals to get them into treatment and to get them onto the road of recovery so they can be productive members of our society and have Christmas dinner with them.

I thank you all for taking the time to listen to me. I thank you, Madam Speaker, for allowing me to talk to you today about this. It's something dear to my heart. And I'm not going to ask

you to follow my light. I know where my light's going today. I ask you to follow your heart. Thank you so much, Madam Speaker.

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. Today, Mainers in every community in our State are burying family members and friends who have died from preventable overdoses. In the face of this crisis, we can learn from the past and reject inaction. That is why I'm a proud co-sponsor of LD 1364, "An Act to Prevent Opioid Overdose Deaths by Establishing Safe Consumption Sites" in Maine. We don't have to guess about whether or not harm reduction health centers work, they do. There are currently more than 120 centers around the world, some of which have been in operation for decades. There's never been a fatal overdose ever at any of these centers.

Harm reduction health centers limit drug use in public spaces and they reduce discarded syringe waste. They help to connect people with services they need to access support, health care and treatment and, most importantly, they save lives. LD 1364 seeks to support Mainers who are challenged by substance use disorder by authorizing the creation of harm reduction health centers in communities. A harm reduction health center is also known as an overdose prevention center. It's a community-based resource offering health screenings, disease risk reduction, infection prevention, access to treatment, peer support services and safe, supervised spaces where a person may use pre-obtained substances. The centers are staffed by addiction medicine physicians, nurses, harm reduction specialists and peer support workers. The majority of these services are actually already available. The only service that LD 1364 adds is a safe place to use pre-obtained substances.

It took years for the government to respond to the public health emergency of AIDS because politicians allowed the stigmatization of people infected with the virus to desensitize them to the need to take swift action. It took years to fund research, support safer sex education, support the distribution of condoms and provide free HIV testing. Because politicians listened to catastrophists who told them that supporting public health initiatives to reduce infection rate would be a sign of support for gay rights or the use of HIV drugs instead of listening to the experts, the people who were dying and were seeing other friends dying. I cared for and buried friends who died of AIDS, I wrote to my legislators, I participated in ACT UP actions and I was horrified by the Government's foot dragging. ACT UP, an organization of people impacted by AIDS, was clear about what was needed to address the crisis but the U.S. Government didn't listen. As the recovery advocacy community is doing now, they understood the problem and worked diligently to implement the needed support services. Fast-forwarding to now, HIV testing, prevention services and treatments have reduced the incidence of HIV infection and turned AIDS into a treatable illness instead of a death sentence.

As Members of the Legislature, we can learn from the past. Instead of inaction, we can learn. That's why I'm a co-sponsor of this bill, which provides an important service to reduce substance use related deaths in Maine. There are 120 centers like this throughout the world, some which have been in operation since 1986. They haven't had a fatal overdose in any of these centers anywhere in the world, ever. That's because the bottom line is that harm reduction health centers save lives. Additionally, harm reduction health centers reduce public drug

use and the amount of public discarded syringe waste. Last year, 716 people died in Maine from preventable opioid overdoses and hundreds more died from complications related to nonsterile equipment for substance consumption and from the contaminants in drugs being consumed. We must implement a public health approach to drug use and one way to do that is to support and pass 1364. Please join me in voting for this bill. Together we can save lives. We can learn from the successes of the efforts to shift AIDS and HIV from a death sentence to a treatable illness. We can listen to the people who are knowledgeable instead of repeating our past mistakes. Together, we can take bold action and address the epidemic that is one day soon none of us have to bury another loved one because of an overdose.

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

Representative **CYRWAY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I've spent 35 years involved in trying to help in keeping people safe from drug abuse, from alcohol abuse, from domestic violence. I started out back working at the jail as a corrections officer and then I became program coordinator. I used to set up all the programs for the inmates. In fact, I was called the Santa Claus for the jail because I was basically the one that had something to offer them. And so, I would look for anything I could do to help them. And through the years, I actually became the assistant jail administrator and it was during the times when we had a lot of problems with mental health in the jail and we would try to get them the help in mental facilities and we had AMHI and we had Jackson Brook and we had up in Bangor, the BMHA we had but we also had Acadia. So, and anyway, I went and we had New Directions, we had the Tri-County program and we had all kinds of different programs. We had the Seton Hospital and we had several programs we could take and get them into for 30 days some of them, some of them even longer. I also got onto the Opioid Task Force for four years. I've been involved in trying to help people. And I got into the DARE program because of prevention. You know, I've never used alcohol, I've never used drugs. My father was very strict with me but my grandfather died at a very young age because of alcoholism and smoked four packs of cigarettes a day and one thing I did learn with addictions is that a person that gets over using, if they use it just one time, they can go back to it just like they never left it. And here you are going to put them in a consumption site where you're going to continue use, even in a slow progress, but it doesn't take care of them when they leave the site.

And I also went to Vancouver, Canada, just a few years ago, while I was a Senator, and I had to go and teach a class to some youths out there and I actually got to go for a ride with one of the officers out there in Canada and I asked them, I said, where can we go to find out, you know, how these drug sites are working. He says I would take you there, it's on Hasting Street, but it's the death zone. He says it's nice that they can go to this facility but once they leave, there's more crime, there's more death and he says it's really a dangerous place to go, he says the officers cringe and don't even dare to go there because how dangerous it is. And in Portland, Oregon, the murder rate went up 800% just in the last few years; 800%. So, do you think that these safe sites are really working? They're not. It's outside of that safe site that's really becoming the problem. And one thing, you know, when I took the Opioid Task Force I got on, they had a three-legged stool we were trying to set up with and I was with Chief Justice Stokes, I had Chief Executive Mills, I had the Attorney General there, we; well, actually, she was the Attorney General at one time, and she was there. We had DAs, we had

lawyers, we had substance abuse counselors, it was quite; and Sheriffs. We had quite a panel. And they said prevention was number one, number two, law enforcement, we needed to strengthen some of the laws and, number three, was treatment. And that's where we started and we all divided up in groups and tried to work it out and come back. It was really; I thought it was very productive. But at the end of the day, when we got at the end, it was all about treatment. And I ended up telling them, I said, you know, I thought we was here to help the people. Because I've lived it. I've seen it all. I've seen people die. I even went to a home and the husband was laying there dead in the bed and I found the pills that he took and they were in tinfoil and I asked his wife, I said, where did he get these? She says well, I'm not going to be a rat. That pill was worth more to her than her husband's life. It was so sad. It just floors me. And so, I think we really are missing the boat.

We have not done prevention in the schools. In fact, they discourage it. I have tried. I tried for a \$50,000 amount for during the Opioid Task Force and they said well, I'm sorry, we already used that \$6 million, we can't give you any money to train some officers to be DARE officers. And so, \$1.6 million went to the needle exchange program. So, we had no prevention, the law enforcement, every time you turn around, the --

Representative **COPELAND**: Point of Order.

The SPEAKER: The Member will defer. The Chair recognizes the Representative from Saco, Representative Copeland, and inquires as to why she rises.

Representative **COPELAND**: Thank you, Madam Speaker. I rise as for a Point of Order; decorum. I feel like I'm being screamed at.

The SPEAKER: The Member may continue.

Representative **CYRWAY**: Madam Speaker, I'm not saying completely no prevention, what I'm saying is no prevention in the classroom where they can learn to make good decisions. I guess that's what I'm trying to say. We need young kids to be able to make good decisions so when they get in the real-life situations that they can make their own decision and say whether they should do it or not. And so, we try to give them the tools so they can make their own decisions. We don't tell them what to do, we facilitate it. We use high-level learning questions to say what would you do and how would you handle it and they have to work things out with each other and they figure those things out and then when they get in real-life situations, they can handle them. And that's all we're trying to do. But that's just one example of prevention but I'm saying that law enforcement, we need to have stronger laws because if you don't, the weaker the laws, the worse it gets because there's no; like, as Representative Nutting had mentioned, we need the carrot and we need the stick. And so, sometimes you need both to make a balance. But also, you need treatment programs and when I say treatment programs, we need resources. I was on the subcommittee for AMHI and trying to keep it and they took it away and so, now they're all walking the streets and they have no direction where to go, what to do. The Seton Program is gone. Jackson Brook is gone. All these facilities that they had to help people are gone. And so, now we're going to have safe consumption sites instead of actually getting them the help. You heard about mental health issue that took help and that's what we need, we need those type resources.

So, this should be a last-ditch effort, from what I see, the philosophy to me in this of harm reduction, you're exposing them to harm. I can't imagine if we did a pilot program here and we allowed everybody to be able to consume, what would happen, here in the House floor. I know that some people are very

allergic to certain things, like sugars, and what would happen if you gave that person or allowed them to take a certain amount of sugar and they go into a diabetic coma. You know; and do you have the facility to take care of that? Have you not done harm to that person in allowing them to? I just don't see it. It's like exposing them to, you know, certain things that they just cannot tolerate and their bodies do not tolerate this stuff. It's not healthy for them. And so, I'm trying to save lives. That's my whole effort throughout my life. And this doesn't do it. I've talked to the police in Vancouver. It's not doing it. They said don't do it. He says I'm telling you, it's the biggest mistake we ever made. So, I'm just asking for the people to think about that before you make some decision like this. We should be looking at resources, treatment programs that we really can use. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Blue Hill, Representative Milliken.

Representative **MILLIKEN**: Thank you, Madam Speaker.

I was going to start by begging some grace from yourself and from my friends on the floor for my emotional; what I'm going to say because it will be emotional but it seems that; it's clear to me that it's emotional on both sides of the aisle so I'm not going to ask forgiveness for it, I'm just going to have at it.

I rise today with an intensive amount of joy and an intense amount of mourning. I stand before you today eight years and seven months free from the powerful grip of a heroin addiction that very easily could have cost me my life. This same addiction cost 716 of our friends' and our neighbors' and our parents' and our children's lives in 2022. All of us, every single person in this room, has been impacted by this crisis in Maine. Drugs are in your community, Madam Speaker, they're in my community, they're in every community that we represent. And it doesn't matter how we feel about them, they're there. People are dying in this State at a rate of nearly two times per day.

When a person uses a harm reduction health center, they are using in front of a person who can save them in the event of an overdose and, in fact, as you've heard from many of my friends on the floor, every person who uses in a safe injection site or a harm reduction health center is kept safe. No one has ever died in one. In addition to being safe because they're using in front of a provider, those providers can refer people to resources and the more often we're making referrals to resources, the more likely people are to access those resources.

I want us to all remember that regardless of whether or not we allow this to happen in Maine, the drugs will continue to be used, people will continue to use drugs. I kept hearing from various speeches today hearing, you know, discussing this bill that once the facility closes, people go home and perhaps are less safe, and that's true. I have three children, Madam Speaker. If I knew that their lives were going to be safe for eight hours a day versus not safe for 24, I would beg this Body to make them safe for those eight hours.

These are our children, our neighbors, our parents, our friends. If you don't think that this crisis is impacting your community, you're not paying attention. I am begging this Body to commit a radical act of love today for people like myself, my three children, all of our children. I'm begging you to support recovery. Survival is the goal. We want our friends and neighbors to live. Please support the pending motion. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from York, Representative Sargent.

Representative **SARGENT**: Thank you, Madam Speaker. What a Session this has been. I rise in support of this measure but I also rise to ask us to pause and reflect a bit on the voices

we have heard today. I respect the tenacity of the Representative from Albion. I respect the candor and honesty of the Representative from Lewiston. I represent the raw emotion of the Representative from Blue Hill.

What we've learned today, two things I take away. Number one, this is a horribly difficult problem. We've heard about all of the things that have failed. Richard Nixon declared a war on drugs in 1971. We are losing, Madam Speaker. We've heard many things that have been tried. We've heard many things that have been abandoned. Probably there are enough mistakes to go around on both sides of the aisle. So, I say this will cost the Maine taxpayers zero. This will let communities try, shape these things in the way they want to and I believe we should give it a chance. Thank you, Madam Speaker.

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

Representative **UNDERWOOD**: Thank you, Madam Speaker. My condolences to all our fellow legislators who have lost loved ones and I'm very sorry for you. I believe that Narcotics Anonymous is an alternative to this bill. Open up or find some Narcotics Anonymous chapters and basically, what these folks do are drug addicts who have recovered and they understand from a recovered point of view and they go into the areas in which they're needed or talk to the people that need the assistance and try to encourage them that this is a path to success. Basically, that's what I wanted to say. I believe this is an alternative approach and this will work a lot better and you'll have a bigger success rate than this bill. I'd like to pose a question to the Chair, if I could, please?

The SPEAKER: The Member may proceed.

Representative **UNDERWOOD**: Is the southern border open now? Thank you.

The SPEAKER: The Member has posed a question through the Chair to any Member who cares to answer. The Chair recognizes the Representative from Portland, Representative Zager.

Representative **ZAGER**: Thank you, Madam Speaker. I rise in support of the pending motion, LD 1364. I think it's a good measure. There has been incredibly heartening and moving testimony delivered by several Representatives who are speaking for their own experience and also for those that can't be here today. So, I've been, in my mind, editing down what I'm going to say because I don't feel like I can say some things nearly as well as others have already done. I also respect the other perspectives that have been brought up, as well as the position that some people have to study this more. We all want to help people and we all want this opiate epidemic over but in terms of how to hasten that day, I do believe that the opioid crisis is severe enough and urgent enough and unstable enough that we ought to make this available to communities if they so choose. The evidence basis that has amassed over decades is actionable, in my opinion.

As the very courageous father and Good Representative from Sanford pointed out, substance use disorder is a defined medical condition, a brain disease; and just like any other organ in the body, the brain can be diseased. We understand the molecular pathways and what can go wrong through fMRIs and other tests. So, we have already figured out a lot to understand that this is not a moral failing, that there are; and like other definable medical conditions, we have treatments. I look forward to even better treatments in the future but what this bill is about is a bold approach to rescue people. To rescue people drowning in substance use disorder.

Dr. Kinna Thakrar gave testimony on harm reduction centers, she's an infectious disease specialist, and some of the

things she pointed out is that, of course, harm reduction centers are not only there to rescue people, but they connect people to services. In fact, the primary goal is to accelerate their recovery. So, the evidence for harm reduction centers has been discussed. I'm going to try to provide a little bit more color and quantification. They prevent overdose deaths. One study, a Canadian study, found that community overdose mortality decreased by between 26 and 35% after the harm reduction center opened in Vancouver. Another study looked at European center found that over a 17-year period after that site was opened, there was a 50% reduction in overdose mortality; 50% reduction. Another thing that they offer is an increased use of addiction treatment programs.

It's been pointed out in the course of our debate that safe injection sites act as a magnet. Yes. That's the point. They're a magnet to help connect people to treatment and rescue them so that they can live to the day when they can make most use of that treatment. In another study, 57% of people; of clients entered treatment. And I personally have had the professional privilege of treating people who did survive to that other day and, indeed, they are our neighbors, they are coworkers, they are relatives in many cases. Another thing that they do is they reduce behaviors that lead to infectious disease transmission like HIV and hepatitis C, and I should remind the Members, Madam Speaker, that hepatitis C is particularly problematic in Maine. We have one of the highest rates in this nation for hepatitis C. It destroys the liver, it's extremely agonizing and very costly for a society to bear. Another thing that they do is they reduce public disorder associated with public drug use. They reduce things like publicly discarded syringes, they reduce public injection use and litter related to injection. In one study, and there are studies in multiple countries, one of which found that there was a fourfold reduction in the reports of the number of unsafely disposed needles.

And, lastly, Madam Speaker, what these centers offer is a cost-effectiveness strategy. They reduce the burden of emergency medical services, they reduce the need to do hospitalizations for things like endocarditis, an infection of the heart which a single hospitalization, a single patient, could be on the order of about \$150,000, and sometimes patients will have that again if they are not connected to treatment. So, connecting people to treatment is not only the humane thing to do, it's also sensible fiscally. So, yes, some people do succumb to this brain disease despite efforts like harm reduction centers but many don't. Many survive and the promising future that we want for those people is what this bill is about, 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. 235

YEA - Abdi, Albert, Ankeles, Arford, Babin, Bell, Blier, Boyer, Boyle, Brennan, Bridgeo, Carlow, Cloutier, Cluchey, Collings, Copeland, Crafts, Crockett, Dhalac, Dodge, Doudera, Eaton, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hobbs, Jauch, Kessler, Kuhn, Landry, Lanigan, LaRochelle, Lee, Lookner, Madigan, Malon, Mathieson, Matlack, Millett H, Millett R, Milliken, Montell, Moonen, Murphy, O'Neil, Osher, Paulhus, Perry A, Pluecker, Pringle, Rana, Reckitt, Rielly, Riseman, Roeder, Runte, Russell, Sachs, Sargent, Sayre, Shagoury, Sheehan, Skold, Stover, Supica, Terry, Theriault, Warren, White B, Williams, Woodsome, Worth, Zager, Madam Speaker.

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

ABSENT - Adams, Fay, Meyer, Perry J, Roberts, Shaw, Zeigler.

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

77 having voted in the affirmative and 66 voted in the negative, with 7 being absent and 1 excused, and accordingly Report "A" Ought to Pass as Amended was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-548)** 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-548)** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Prohibit the Maine National Guard from Combat Deployment Absent an Act of the United States Congress"

(S.P. 423) (L.D. 1054)

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland
TIMBERLAKE of Androscoggin

Representatives:

SUPICA of Bangor
MALON of Biddeford
MONTELL of Gardiner
RIELLY of Westbrook
RISEMAN of Harrison
RUDNICKI of Fairfield

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-325)** on same Bill.

Signed:

Representatives:

ANDREWS of Paris
BOYER of Poland
COLLINGS of Portland
HYMES of Waldo

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

READ.

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

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

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

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

Representative **BOYER**: Thank you, Madam Speaker. Some heavy stuff today. This bill is about saving lives, too.

This bill, 1054, or otherwise known as Defend the Guard, would effectively say that Maine is not going to send our National Guard's men and women to foreign conflicts to fight wars that are undeclared and unconstitutional. If we're going to send Maine National Guard to war, then Congress should have the courage to vote and declare that war, Madam Speaker. It's been 20 years of endless wars; Iraq, Afghanistan, Syria, to name a few. For what, Madam Speaker? What has 20 years of bloodshed accomplished in these wars in Afghanistan and Iraq? Madam Speaker, the 9/11 hijackers were Saudis. What are we doing in Iraq? There was no weapons of mass destruction. What were we doing? We didn't win the war. The military-industrial complex won the war, General Dynamics won the war, defense contractors won the war, Blackwater won the war; but we didn't, Maine taxpayers didn't, our American taxpayers didn't, the hundreds of thousands of Iraqi and Afghanistan civilians that were murdered, they didn't win, that's for sure. So, we know these wars are unconstitutional. Article I, Section 8 of the Constitution gives Congress the power to declare war, not the Executive Branch. The Congress has not declared war since World War II, including Vietnam, Korea, Iraq, Afghanistan. One of the architects of our Constitution, President James Madison, said the Constitution supposes what the history of all government demonstrates, that the Executive Branch is the branch of power most interested in war and most prone to go to it. It has accordingly, with studied care, vested the question of war to the Legislature.

Now, opponents of Defend the Guard will argue that we're going to lose federal funding. And while I categorically disagree with this paper tiger empty threat, even if we were to lose federal funding, what's the appropriate price tag for each of our Guardsmen? A million dollars? Two million dollars a head? What's it worth? I don't know that there is a price and we know that we lost Mainers, National Guardsmen Mainers in these wars. So, you're going to hear folks say that this legislation will prevent the Maine National Guard from helping in domestic missions. It's not true. Those are under Title 10. Whether it's COVID and vaccines or an ice storm or Katrina, those missions will still be able to be carried out by our National Guardsmen. This legislation here today deals with Title 32 in which the Guard is federalized and activated under the President.

Madam Speaker, we know that veterans are coming home with visible and invisible scars. We know that they come home with PTSD. We know that at least a dozen, 16, 18, up to 22, I think the statistic is, veterans kill themselves every day. Far more than that were actually killed in action over there. I believe the statistic is that 125,000 veterans have killed themselves since 2001. This is crazy. The best way that we can support our Guardsmen and our troops is not to send them to war so callously. And we know that recruitment is down in our military, morale is down. In fact, 40% of the ground troops are Guardsmen from across the country. That's not the point of the Guard. The National Guard is to keep us safe here in case of emergencies or an invasion but now they're being used as our military. That's not right.

I've been pissed off about the wars for a very long time. I marched in D.C. when George Bush was President and fought for bringing the troops home then. I couldn't do anything about it, most people can't do anything about it, our Congress doesn't want to do anything about it. We have a chance here today to do something about it. I know most everyone agrees that these

wars weren't what they were cracked up to be and I feel like this is our chance to stand with our Maine National Guard and send a message to Congress, to the military-industrial complex, that if you're going to send our folks to war, then you damn well better declare it. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Embden, Representative Dunphy.

Representative **DUNPHY**: Thank you, Madam Speaker. Madam Speaker, may I ask a question of the Representative from Poland through the Chair?

The SPEAKER: The Member may proceed.

Representative **DUNPHY**: So, he seemed to speak very eloquently and very knowledgeably about our military, what's good for our military, what's good for those who served and my question, Madam Speaker, is which branch of the service and for how long did he serve?

The SPEAKER: The Member has posed a question through the Chair to the Representative from Poland. The Chair recognizes the Representative from Poland, Representative Boyer.

Representative **BOYER**: Thank you, Madam Speaker. I have not served in the military. I respect those that have. But I am an Eagle Scout.

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

Representative **ZAGER**: Thank you, Madam Speaker. I have served in both the military and here and I see that the service that every Member in this Body is performing is commensurate with service in uniform. I highly respect everyone in here. Thank you, Madam Speaker.

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

Representative **HYMES**: Thank you, Madam Speaker. I have a lot of respect for the military because I served in it for 20 years. I also have a lot of respect for the Adjutant General, that's why this particular conversation that I had with him was very interesting. My experience on the front line is eight years and all of those wars have been listed, so, I'm pretty sure that I have the right to speak on this particular topic in depth.

We receive hundreds of emails from current and former National Guardsmen in support of this bill. Hundreds, our Committee. We did, however, receive one person that was opposed to this and that is the AG, the Adjutant General. So, with the leader of the National Guard telling us that we should not support this bill, I should just sit down right now. But anybody who's ever served with me knows that I'm not that kind of leader. See, one person doesn't get to decide what happens to our National Guard. We get to decide what happens with our National Guard because it's the Maine National Guard. The only concern was funding. And the concern for funding was that somewhere in the basement of the Pentagon, somebody was going to stop writing checks to Maine for some reason. So, let's go through those reasons, okay?

Even if funding was to be cut, it can't just happen overnight. In Federal Law, it is required that the President notify the Chief Executive if we are not doing our job as the National Guard and we have 90 days to come into compliance before they can pull any funding. So, the funding piece of this is completely irrelevant because we have 90 days to get in compliance before they can pull any funding and I'm sure that we would get into compliance if there was any threat of losing funding from the federal government. This doesn't touch the Chief Executive's authority. It doesn't touch the federal authority within the United States to use the National Guard. It doesn't touch the National Guard's partnership with Montenegro, which I'm pretty sure

most people in here didn't know we had and neither did I until I was on VLA but, yes, we have a partnership with Montenegro. It does not prohibit the ability for our Guard to deploy to other friendly nations, either. But what it does do is it keeps the Maine National Guard off of the front lines unless there is a declared war according to the Constitution. Active-duty, go right ahead; Reserve, go right ahead. But the National Guard is third in line when it comes to going to war if the war is declared and then, after that, we're going to the draft and I hope we never get to that again. So, the Constitution is pretty clear that our Guard is not supposed to be used on the front lines unless Congress does its job and declares war. This bill tells Congress to do its job and declare war if they want and need to use our National Guard in order to use them on the front lines. So, please follow my light and defend the Maine's National Guard. Thank you.

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

Representative **SUPICA**: Thank you, Madam Speaker, my apologies. The Defend the Guard legislation conflicts with Federal Law and is very likely unconstitutional. Article I, Section 8 of the Constitution gives Congress the authority to organize, arm and discipline the militia and govern those parts employed in the service of the United States, reserving solely for the states the authority to appoint officers and execute the training of the forces as prescribed by Congress.

Passing this bill and restricting the use of Maine's National Guard units could result in funding for the Maine National Guard to be withdrawn but more likely it would happen slowly over time. This would leave the State with diminished and ineffective force to respond to the State's emergencies or necessitate the Legislature to equip and pay for its own State Guard in the absence of adequate federal funding and trained units in the National Guard.

Recruits over the past 20 years understand that when they join the Guard, the Maine National Guard, that they take a dual oath. They take an oath to the Federal Government and also to our State Government. When they're at home here in Maine; I apologize. But when they are not deployed on Title 10 orders, the tradeoff is that they can serve part time and live and work at home here in Maine as opposed to being transferred every three years across the country and the world. They have the ability to volunteer for short-term mobilizations and deployments and assignments with active duty which advances their careers and education, which would not be available to them solely in State service. They are eligible for federal benefits available to active-duty servicemembers. We should trust that our soldiers and our airmen chose to serve their country and their State in this system as it exists. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Topsham, Representative Jauch.

Representative **JAUCH**: Thank you, Madam Speaker, Colleagues of the House. I stand in support of this motion. I served six years in the Army National Guard and when I enlisted, I swore an oath both to the nation and to the State because the National Guard serves both. National Guard and regular forces serve side by side and are, as we always said during my time in the Army, one team with one fight. I do worry that this bill could potentially cause the federal government to withhold or withdraw funding from our State, but mostly I am concerned that this bill is trying to legislate a power struggle between the State and the federal government without knowing the full repercussions of such an action. Thank you.

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

Representative **COLLINGS**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise for the Ought to Pass motion and will briefly state my reasoning. I am not someone who supported this or wanted this and, I learned about it being on the Veterans and Legal Affairs Committee, and I greatly respect our servicemembers, especially the men and women serving in the National Guard. I respect General Farnham and I respect the many veterans that came to the Committee and asked for us to pass this law. And my reasoning for doing so is I'm not into absolutism that everything that was written in the Constitution is you have to follow it and it can't be changed over time, I just happen to believe that this part of the Constitution is something that I think is sensible where Congress should have this decision, which I think, in my interpretation, it does, for the times when we do need to send National Guards to foreign conflicts. And I will back this up by very quickly; in other states where this has happened, the ACLU has supported this and they supported this in Maine and in other states and the same exact issue and I'll read their reasoning here; in West Virginia which recently had a similar bill where they believed we would not lose significant federal funding if this type of bill was to be passed. And to quote their argument here, this bill raises a secondary issue. Opponents of the legislation have noted that pursuant to Section 108 of Title 32 of the U.S. Code, West Virginia stands to lose significant federal funding for the National Guard. While the possibility exists, the risks are overstated. There are technical issues that may render this inoperable. Section 108 authorizes forfeiture of funds when a state fails to comply with the requirements of Title 32. The Code sections that authorize the Executive to activate the National Guard for combat duty are all contained in Title 10. In fact, Title 32 specifically notes that Congress has the authority to call the National Guard and limits this to matters of national security. While the incongruity may be dismissed as a technicality, it raises a barrier to denying funds for refusing to accede to deployment of the National Guard to combat duty absent a congressional act. More broadly, this disconnect is a demonstration of the way in which authority has slowly been asserted by the Executive, the very issue this legislation seeks to remedy.

Finally, Section 108 does not result in an immediate forfeiture of funds. Instead, the President must first give the State a time frame in which to remedy the failure to comply. Even if the State does not yield, the President still has the discretion to determine if and how much funds will be held up. As a practical matter, fully defunding a State Guard unit would be politically unpopular and risks the ability to respond to national and State emergencies. This would be a particular untenable position for a president to take in retaliation for a state's eminently reasonable demand that before the National Guard, the military reserves, are called to active duty, the President seek and obtain a congressional declaration of war.

I happen to agree with the ACLU on this matter. Though I don't always agree with them, I do on this one. When it comes to Maine, I believe that in our next fiscal year, close to about 25% of our total National Guard budget will be federal funding specifically for federal military and training operations. The other more than 75% goes for many other issues nonrelated to the federal military and training operations but, again, for that 25%, I do not believe the federal government and our congressional delegation would allow us to lose these funds. I believe in the legal argument of the ACLU on this matter and when we send our men and women to war, I think we need to have deliberation from the Congress and not just the more express and expedited

opinion of one Executive in the White House. I think there needs to be deliberation, I think Congress is the one to do that. I believe legally they have that power and I would like to see that carried out here. Thank you.

The SPEAKER: The Chair recognizes the Representative from Brewer, Representative O'Connell.

Representative **O'CONNELL**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Twenty-four years in the 101st Air Refueling Wing, 18 in the Civil Engineering Squadron, which is a construction unit, and six years as a First Sergeant. As it was stated, we are number three in line to go to war. Where am I going to get that training? You can't get it in Maine. I had four trips to the Middle East, three deployments to Central America, several to Europe, all over CONUS. I just could not get the training that I get that I could've got here that I got elsewhere. Pardon my French; when the shit hits the fan, you can't get the training only in Maine. You've got to go elsewhere. You have to. You cannot get the training --

The SPEAKER: The Member will defer. The Chair would remind the Member not to use that language in this Chamber. The Member may proceed.

Representative **O'CONNELL**: Thank you very much. The Maine-iacs have a worldwide reputation as being the people that are there when they need to be there. We do a great job. As I stated, I've been around the world. I know I've done good every place I've been to. I know the people with me have done good every place we've gone to. As I stated, we've got the history, we're there, the Maine-iacs; if you take away this, the Maine-iacs are going to be gone. The Maine-iacs are going to be gone, it's going to hurt the State of Maine. I'm just telling you that's where that bill would take it. So, follow my light, please. 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. 236

YEA - Abdi, Albert, Ankeles, Arford, Bell, Boyle, Bradstreet, Brennan, Bridgeo, Campbell, Carlow, Cloutier, Cluchey, Copeland, Costain, Crafts, Craven, Crockett, Cyrway, Dhalac, Dill, Dodge, Doudera, Drinkwater, Ducharme, Dunphy, Eaton, Foster, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hall, Hasenfus, Hepler, Hobbs, Jackson, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lavigne, Lee, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Morris, Murphy, O'Connell, Osher, Parry, Paulhus, Perry A, Perry J, Pringle, Rana, Reckitt, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Sheehan, Simmons, Skold, Soboleski, Supica, Terry, Thorne, White B, Williams, Wood, Worth, Zager, Madam Speaker.

NAY - Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Carmichael, Collamore, Collings, Cray, Davis, Faulkingham, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Henderson, Hymes, Javner, Lanigan, Lemelin, Libby, Lookner, Lyman, Mason, Millett H, Ness, Newman, Nutting, O'Neil, Paul, Perkins, Pluecker, Poirer, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmersal-Burgess, Smith, Strout, Swallow, Theriault, Underwood, Walker, Warren, White J, Woodsome.

ABSENT - Adams, Fay, Shaw, Stover, Zeigler.

Yes, 92; No, 53; Absent, 5; Vacant, 0; Excused, 1.

92 having voted in the affirmative and 53 voted in the negative, with 5 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Fund Adult Intellectual Disability and Autism Spectrum Disorder Services by Eliminating Certain Tax Funding from the Maine Clean Election Fund"

(S.P. 585) (L.D. 1466)

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-304)** on same Bill.

Signed:

Senator:

TIMBERLAKE of Androscoggin

Representatives:

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

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

READ.

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

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Eliminate Unconstitutional Restrictions on Access to Cannabis by Removing Certain Restrictions on Medical Use and Personal Use and to Recognize Cannabis and Hemp as Food Protected as a Right Under the Constitution of Maine"

(S.P. 673) (L.D. 1686)

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland
TIMBERLAKE of Androscoggin

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-328)** on same Bill.

Signed:

Representative:

BOYER of Poland

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

READ.

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

Seven Members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** report in Report "A" **Ought Not to Pass** on Bill "An Act to Ensure Safer Communities by Increasing the Punishment for Crimes Involving Fentanyl"

(S.P. 405) (L.D. 986)

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

Four Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "A" (S-313)** on same Bill.

Signed:

Representatives:

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

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (S-314)** on same Bill.

Signed:

Senator:

HARRINGTON of York

Came from the Senate with Report "B" **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-313)**.

READ.

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

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

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

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

ROLL CALL NO. 237

YEA - Abdi, Ankeles, Arford, Bell, Boyer, 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, 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, Sheehan, Skold, Supica, Terry, Warren, Williams, Worth, Zager, 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, Hepler, 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, Schmursal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White B, White J, Wood, Woodsome.

ABSENT - Adams, Fay, Shaw, Stover, Zeigler.

Yes, 76; No, 69; Absent, 5; Vacant, 0; Excused, 1.

76 having voted in the affirmative and 69 voted in the negative, with 5 being absent and 1 excused, and accordingly Report "A" Ought Not to Pass was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

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

Seven Members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-308)** on Bill "An Act to Provide Funding for Positions in the Penobscot County Sheriff's Office"

(S.P. 314) (L.D. 756)

Signed:

Senators:

BEEBE-CENTER of Knox
HARRINGTON of York

Representatives:

SALISBURY of Westbrook
ARDELL of Monticello
HASENFUS of Readfield
MADIGAN of Waterville
PERKINS of Dover-Foxcroft

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

Signed:

Representatives:

LOOKNER of Portland
MATHIESON of Kittery
MILLIKEN of Blue Hill

Two Members of the same Committee report in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (S-309)** on same Bill.

Signed:

Senator:

LaFOUNTAIN of Kennebec

Representative:

NUTTING of Oakland

One Member of the same Committee reports in Report "D" **Ought to Pass as Amended by Committee Amendment "C" (S-310)** on same Bill.

Signed:

Representative:

NEWMAN of Belgrade

Came from the Senate with Report "A" **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-308)**.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-308)** 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-308)** in concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-528)** on Bill "An Act to Provide Funding to Emergency Medical Services Organizations" (H.P. 331) (L.D. 526)

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 "B" (H-529)** 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, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-528)** 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-528)** and sent for concurrence.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought Not to Pass** on Resolve, to Ensure Compliance by the State with an Agreement Regarding the Operation of the Landfill in Old Town (H.P. 843) (L.D. 1330)

Signed:

Senators:

BRENNER of Cumberland
CARNEY of Cumberland

Representatives:

GRAMLICH of Old Orchard Beach
BELL of Yarmouth
BRIDGEO of Augusta
DOUDERA of Camden
HOBBS of Wells
O'NEIL of Saco
SCHMERSAL-BURGESS of Mexico

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-545)** on same Resolve.

Signed:

Senator:

LYFORD of Penobscot

Representatives:

CAMPBELL of Orrington
SOBOLESKI of Phillips
WOODSOME of Waterboro

READ.

On motion of Representative GRAMLICH of Old Orchard Beach, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-532)** on Bill "An Act to Reduce Mercury in the Environment by Phasing Out Certain Fluorescent Light Bulbs"

(H.P. 1160) (L.D. 1814)

Signed:

Senators:

BRENNER of Cumberland
CARNEY of Cumberland

Representatives:

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

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

Signed:

Senator:

LYFORD of Penobscot

Representatives:

CAMPBELL of Orrington
SCHMERSAL-BURGESS of Mexico
SOBOLESKI of Phillips

READ.

On motion of Representative GRAMLICH of Old Orchard Beach, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

Majority Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought Not to Pass** on Bill "An Act to Establish an Emergency Fuel Reserve"

(H.P. 507) (L.D. 818)

Signed:

Senator:

CURRY of Waldo

Representatives:

ROBERTS of South Berwick
COLLAMORE of Pittsfield
NESS of Fryeburg
SAYRE of Kennebunk
WHITE of Waterville

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-533)** on same Bill.

Signed:

Senator:

GUERIN of Penobscot

Representatives:

SMITH of Palermo
WALKER of Naples

READ.

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

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-544)** on Bill "An Act to Increase Transparency in Municipal Ballot Referenda Expenditures"

(H.P. 850) (L.D. 1336)

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

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

Signed:

Representatives:

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

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-544)** 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-544)** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-530)** on Bill "An Act to Implement the Recommendations of the Working Group to Review the Process for Ongoing Review of Tax Expenditures by the Legislature"

(H.P. 538) (L.D. 849)

Signed:

Senators:

GROHOSKI of Hancock
CHIPMAN of Cumberland
LIBBY of Cumberland

Representatives:

PERRY of Bangor
CARMICHAEL of Greenbush
CROCKETT of Portland
HASENFUS of Readfield
LAVIGNE of Berwick
MATLACK of St. George
QUINT of Hodgdon
RANA of Bangor

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

Signed:

Representatives:

LIBBY of Auburn
RUDNICKI of Fairfield

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-530)** 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-530)** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act to Abolish the Maine Income Tax and Establish a Zero-based Budget"

(H.P. 930) (L.D. 1434)

Signed:

Senators:

GROHOSKI of Hancock
CHIPMAN of Cumberland

Representatives:

PERRY of Bangor
CARMICHAEL of Greenbush
CROCKETT of Portland
HASENFUS of Readfield
LAVIGNE of Berwick
MATLACK of St. George
RANA of Bangor
RUDNICKI of Fairfield

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-547)** on same Bill.

Signed:

Senator:

LIBBY of Cumberland

Representatives:

LIBBY of Auburn
QUINT of Hodgdon

READ.

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

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

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

The SPEAKER: 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. 238

YEA - Abdi, Ankeles, Arford, Babin, Bell, Boyle, Brennan, Bridgeo, Carlow, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett H, 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, Sheehan, Skold, Supica, Terry, Warren, White B, Williams, Worth, Zager, Madam Speaker.

NAY - Albert, Andrews, Arata, Ardell, 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, Lavigne, Lemelin, Libby, Lyman, Mason, 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, Fay, Lanigan, Shaw, Stover, Zeigler.

Yes, 81; No, 63; Absent, 6; Vacant, 0; Excused, 1.

81 having voted in the affirmative and 63 voted in the negative, with 6 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 Eliminate the Excise Tax on Recreational Vehicles and Permit Municipal Adoption of Fees to Cover the Cost of Municipal Services to Campgrounds and Recreational Vehicle Parks"

(H.P. 979) (L.D. 1524)

Signed:

Senators:

GROHOSKI of Hancock
CHIPMAN 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
RANA of Bangor
RUDNICKI of Fairfield

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-534)** on same Bill.

Signed:

Senator:

LIBBY of Cumberland

READ.

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

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-542)** on Bill "An Act to Protect Access to Absentee Ballot Drop Boxes"

(H.P. 1013) (L.D. 1568)

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland
TIMBERLAKE of Androscoggin

Representatives:

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

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

Signed:

Representatives:

ANDREWS of Paris
BOYER of Poland
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-542)** 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-542)** and sent for concurrence.

Five Members of the Committee on **TAXATION** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-546)** on Bill "An Act to Increase the Maine Exclusion Amount for Estate Tax Exemptions"

(H.P. 491) (L.D. 802)

Signed:

Senator:

LIBBY of Cumberland

Representatives:

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

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

Signed:

Senators:

GROHOSKI of Hancock
CHIPMAN of Cumberland

Representatives:

HASENFUS of Readfield
MATLACK of St. George
RANA of Bangor

READ.

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

Representative CARMICHAEL of Greenbush **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 Madison, Representative Ducharme.

Representative **DUCHARME**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise today in opposition to the current motion and in support of my bill, LD 802, "An Act to Increase the Maine Exclusion Amount for Estate Tax Exemptions".

Madam Speaker, there are only 12 states in the Union that levy an estate tax. It's interesting that six of those 12 states are in the northeast. Many confuse inheritance tax with estate tax. Inheritance taxes are paid by heirs or inheritors upon receiving the inherited assets. Maine has no inheritance tax. Estate taxes, on the other hand, are paid on the entire taxable value of the estate by the estate. Should a person own a small business or a family farm, when they pass away, the taxable value on that estate may exceed the liquid assets, the cash available to the entire estate. For this reason, many families are forced to sell hard assets to pay the estate taxes imposed by the State of Maine.

In researching this bill, I spoke with a number of millworkers who are approaching retirement. As they plan for their retirement, they're totaling up their assets and realizing that in today's world, hitting the current \$6 million level of exemption is likely for them. When you add up their home, their vehicles, snowmobiles, boats, campers, their camp on Moosehead Lake as well as the value of their 401 (k); all items included in the estate tax calculation; they often exceed the threshold. I'm sure that everyone in this Chamber has heard about friends moving to Arizona, Florida or North Carolina or some other state for six months and a day. Besides the obvious weather advantages, this move is often done to protect their assets from additional taxation in the event of their death.

Madam Speaker, the Maine Association of Realtors supports this bill. I quote them; we believe this change is warranted because the differing tax thresholds can lead to confusion and unexpected tax obligations. The Maine threshold is low given the high rate of inflation and increasing property values. High tax rates can deter people and businesses from settling or staying in Maine and could negatively impact Maine's economic sustainability, end-quote.

Madam Speaker, LD 802 proposes to link Maine's estate tax exemption limit to the federal estate tax limit. That limit is currently \$12,900,000. Of the 700,000 tax filings in an average year in the State of Maine, only 60 or 70 of them are affected by this bill. Linking the exemption level to the federal level makes sense. It clarifies the future tax burden for many retiring Mainers and, further, it may help many remain in Maine rather than move to a more tax-friendly state. I ask you to follow my light and oppose this motion. Thank you.

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

Representative **CARMICHAEL**: Thank you, Madam Speaker, Fellow Members of the House. I'd like to just reiterate something the Good Representative from Madison said. What this bill does, or what the estate tax does, is it adversely affects a lot of family-owned businesses, family-owned farms. And like he said, it does take up a lot of their liquid assets to take care of their estate tax. Once these assets, the liquid assets are used, they either have to sell off the hard assets or, as a lot of times, there's large companies that are just waiting to buy these places up. So, once they're bought up, them farms and stuff, and family-owned businesses are gone forever. So, I ask you to think of the jobs that they create, the families they support and, Madam Speaker, I'd ask that you consider supporting this bill and opposing this 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. 239

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, 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, Sheehan, Skold, 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, Hepler, Hymes, Jackson, Javner, Landry, 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, Fay, Lanigan, Shaw, Stover, Zeigler.
Yes, 76; No, 68; Absent, 6; Vacant, 0; Excused, 1.

76 having voted in the affirmative and 68 voted in the negative, with 6 being absent and 1 excused, and accordingly Report "B" **Ought Not to Pass** was **ACCEPTED** and sent for concurrence.

Six Members of the Committee on **VETERANS AND LEGAL AFFAIRS** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-541)** on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Change the Length of Legislators' Terms to 4 Years

(H.P. 542) (L.D. 852)

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland

Representatives:

BOYER of Poland
COLLINGS of Portland
MONTELL of Gardiner
RIELLY of Westbrook

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

Signed:

Senator:

TIMBERLAKE of Androscoggin

Representatives:

SUPICA of Bangor
ANDREWS of Paris
MALON of Biddeford
RISEMAN of Harrison
RUDNICKI of Fairfield

READ.

On motion of Representative SUPICA of Bangor, 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**.

UNFINISHED BUSINESS

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

SENATE DIVIDED REPORT - Majority (10) **Ought Not to Pass** - Minority (3) **Ought to Pass as Amended by Committee Amendment "A" (S-99)** - Committee on **TRANSPORTATION** on Bill "An Act to Increase Bicycle Safety by Allowing Cyclists to Treat Stop Signs as Yield Signs and Red Lights as Stop Signs" (S.P. 614) (L.D. 1551)

- In Senate, Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-99)**.

TABLED - May 23, 2023 (Till Later Today) by Representative WILLIAMS of Bar Harbor.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

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

HOUSE DIVIDED REPORT - Majority (9) **Ought Not to Pass** - Minority (2) **Ought to Pass as Amended by Committee Amendment "A" (H-179)** - Joint Select Committee on **HOUSING** on Bill "An Act to Amend the Laws Regarding Zoning and Land Use Restrictions to Limit Certain Requirements to Municipalities with a Population of More than 10,000" (EMERGENCY)

(H.P. 135) (L.D. 214)

TABLED - May 23, 2023 (Till Later Today) by Representative GERE of Kennebunkport.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

Representative GERE of Kennebunkport moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

Representative **BRADSTREET**: Thank you, Madam Speaker. I didn't intend to speak on this, but I shall. I oppose the pending motion. LD 214 was an attempt at a compromise in response to LD 2003 from last Session. We received many, many requests from small communities that they were not equipped to handle all the requirements that were initiated under that bill. So, we thought that originally we should limit it according to population and that the 10,000 threshold for the population would be acceptable, that those communities with over that population were more equipped to handle the requirements of LD 2003, while those under it were not. As a compromise, we thought why not use 4,000 people because that is the cutoff for MUBEC, the Maine Uniform Building and Energy Code. Those towns with 4,000 or over need to have that as their Code and they are more equipped with personnel including code enforcement officers who can help administer the requirements of 2003, where those under it are much less apt to. This was done in collaboration of many small communities. This request was made to the Committee so that's why we the Good Senator from Orrington proposed this bill. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Orrington, Representative Campbell.

Representative **CAMPBELL**: Thank you, Madam Speaker, Men and Women of the House. Sorry for rushing back but this was a bill by request that was created by a collaborative of many of the small municipalities. And as you can see in the title, they sort of overreached to the size of the community when they said 10,000. So, the Ought to Pass, which we're not supposed to talk about, turned it back to 4,000, which is consistent with small communities and their level of participation in the national codes. So, again, this was several small municipalities that wrote this and they would really appreciate your support of it. So, we need to defeat the Ought Not to Pass and go on to another motion. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative Golek.

Representative **GOLEK**: I just wanted to note that if this would've passed as it was written, we have 519 towns and only 22 of the towns would've had to comply, which would've left four hundred and something out of it. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Woolwich, Representative Hepler.

Representative **HEPLER**: Thank you, Madam Speaker. I also rise to oppose this motion and in favor of the Representative from Orrington's Minority Report. I support the delay because of the challenges that lie ahead for small towns. In preparation for the enactment of LD 2003, I followed the rulemaking process, participated in the public hearing, I met regularly with Select Boards, planning boards, and code enforcement officers. The reason I support the Minority Report is because the rules have only recently been finalized and there's not yet enough guidance for proper ordinances to be written. In addition, as many of you who represent town meetings know, there's also the calendar, the process of writing an ordinance, having a town attorney weigh in, scheduling and holding a public hearing, taking it to town meeting to be considered; all of this takes time and, as you know, towns without a paid planner rely on volunteers who work around their jobs and family schedules. Thank you.

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

Representative **GERE**: Thank you, Madam Speaker. Madam Speaker, in the Committee work that we did on this particular bill, we did consider the concerns of small communities and addressed those concerns in thinking about ways that all communities in Maine can play their small part in helping us to address the housing crisis. This includes the things that are available to them now delaying an implementation schedule, a delayed implementation schedule, technical assistance and grants, and that will help address those concerns that have been raised. 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. 240

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, 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, Sheehan, Skold, Supica, Terry, Warren, White B, Williams, Worth, Zager, Madam Speaker.

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

ABSENT - Adams, Arata, Fay, Lanigan, Shaw, Stover, Zeigler.

Yes, 75; No, 68; Absent, 7; Vacant, 0; Excused, 1.

75 having voted in the affirmative and 68 voted in the negative, with 7 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**.

HOUSE DIVIDED REPORT - Report "A" (7) **Ought to Pass as Amended by Committee Amendment "A" (H-308)** - Report "B" (4) **Ought Not to Pass** - Report "C" (1) **Ought to Pass as Amended by Committee Amendment "B" (H-309)** - Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Provide Funding for a Chapel at the Maine Veterans' Memorial Cemetery in Augusta"

(H.P. 889) (L.D. 1375)

TABLED - June 6, 2023 (Till Later Today) by Representative RIELLY of Westbrook.

PENDING - **ACCEPTANCE OF ANY REPORT**.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-308)** 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-308)** and sent for concurrence.

An Act to Allow Certain Social Workers to Diagnose Organic Mental Illnesses (EMERGENCY)

(H.P. 895) (L.D. 1400)

(C. "A" H-203)

- In House, **FAILED OF PASSAGE TO BE ENACTED** on June 1, 2023.

- In Senate, **PASSED TO BE ENACTED** in **NON-CONCURRENCE**.

TABLED - June 7, 2023 (Till Later Today) by Representative TERRY of Gorham.

PENDING - **FURTHER CONSIDERATION**.

On motion of Representative PERRY of Calais, the House voted to **RECEDE**.

Representative PERRY of Calais **PRESENTED House Amendment "A" (H-423)** to **Committee Amendment "A" (H-203)**, which was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (H-203) as Amended by House Amendment "A" (H-423) thereto was **ADOPTED**.

The Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-203) as Amended by House Amendment "A" (H-423)** thereto in **NON-CONCURRENCE** and sent for concurrence.

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

HOUSE DIVIDED REPORT - Majority (7) **Ought Not to Pass** - Minority (5) **Ought to Pass as Amended by Committee Amendment "A" (H-216)** - Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on Bill "An Act to Allow a Qualifying Religious Organization to Self-insure for Automobile Insurance"

(H.P. 640) (L.D. 1004)

TABLED - May 25, 2023 (Till Later Today) by Representative FAULKINGHAM of Winter Harbor.

PENDING - Motion of Representative PERRY of Calais to **ACCEPT** the Majority **OUGHT NOT TO PASS** Report. (Roll Call Ordered)

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

Representative **PERRY**: Thank you, Madam Speaker. I want to do a little explanation before we go to a vote on this bill. First of all, the Ought Not to Pass Report, I'm asking that for the Roll Call we all vote against that motion and I will tell you why. I have had the pleasure of working with the Representative from Dexter and the religious group involved, along with the Secretary of State, and we are working on a possible solution for this issue. And what I would like to do with that is set it up so that we can have an amendment for the House allowing the Secretary of State to continue the work to come back to Committee. So, I'm asking that you vote Ought Not to Pass on this motion and we will get to that point. Thank you.

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

ROLL CALL NO. 241

YEA - NONE.

NAY - Albert, Andrews, Ankeles, Arata, Ardell, Arford, Babin, Bagshaw, Bell, Blier, Boyer, Boyle, Bradstreet, Brennan, Bridgeo, Campbell, Carlow, Carmichael, Cloutier, Cluchey, Collamore, Collings, Copeland, Costain, Crafts, Craven, Cray, Crockett, Cyrway, Davis, Dill, Dodge, Doudera, Drinkwater, Ducharme, Dunphy, Eaton, Faulkingham, Foster, Fredericks, Galletta, Gattine, Geiger, Gere, Gifford, Graham, Gramlich, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hepler, Hobbs, Hymes, Jackson, Jauch, Javner, Kessler, Kuhn, Landry, LaRochelle, Lavigne, Lee, Lemelin, Libby, Lookner, Lyman, Madigan, Malon, Mason, Mastraccio, Matlack, Meyer, Millett H, Milliken, Montell, Moonen, Moriarty, Morris, Murphy, Ness, Newman, Nutting, O'Connell, O'Neil, Parry, Paul, Paulhus, Perkins, Perry A, Perry J, Pluecker, Poirier, Polewarczyk, Pomerleau, Pringle, Quint, Reckitt, Rielly, Roeder, Rudnicki, Runte, Russell, Sachs, Salisbury, Sampson, Sargent, Sayre, Schmearsal-Burgess, Shagoury, Sheehan, Simmons, Skold, Smith, Soboleski, Stover, Strout, Supica, Swallow, Terry, Theriault, Thorne, Underwood, Walker, Warren, White B, White J, Williams, Wood, Woodsome, Worth, Zager, Zeigler, Madam Speaker.

ABSENT - Abdi, Adams, Dhalac, Fay, Golek, Hasenfus, Lanigan, Mathieson, Millett R, Osher, Rana, Riseman, Roberts, Shaw.

Yes, 0; No, 136; Absent, 14; Vacant, 0; Excused, 1.

0 having voted in the affirmative and 136 voted in the negative, with 14 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **NOT ACCEPTED**.

Subsequently, on motion of Representative PERRY of Calais, the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-216)** was **READ** by the Clerk.

On motion of Representative PERRY of Calais, **Committee Amendment "A" (H-216)** was **INDEFINITELY POSTPONED**.

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

The same Representative **PRESENTED House Amendment "A" (H-478)**, which was **READ** by the Clerk.

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

Representative **PERRY**: Thank you, Madam Speaker. Again, this amendment is something that I had the pleasure of working with the Secretary of State and our Representative from Dexter. What this amendment does is it gives assignment to the Secretary of State to develop a group to work with the possibilities of finding a solution for this. This actually is a work that has gotten started with the work that we've been doing in negotiations. We want the ability to continue to do that work and the Secretary of State will report back to the Health Coverage, Insurance and Financial Services Committee in January. Thank you.

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

Representative **FOSTER**: Thank you, Madam Speaker. I agree with the Good Representative from Calais.

Subsequently, **House Amendment "A" (H-478)** was **ADOPTED**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by House Amendment "A" (H-478)** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-243)** - Minority (4) **Ought Not to Pass** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Allow Bail Commissioners to Carry Firearms in Correctional Facilities and Jails"

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

TABLED - May 30, 2023 (Till Later Today) by Representative SALISBURY of Westbrook.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

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" (H-243)** 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-243)** and sent for concurrence.

HOUSE DIVIDED REPORT - Report "A" (6) **Ought to Pass as Amended by Committee Amendment "A" (H-237)** - Report "B" (5) **Ought Not to Pass** - Report "C" (1) **Ought to Pass as Amended by Committee Amendment "B" (H-238)** - Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Resolve, to Study the Effects of 5G Technology on Bird, Bee and Insect Populations and the Effects of Long-term Exposure on Children

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

TABLED - May 30, 2023 (Till Later Today) by Representative ZEIGLER of Montville.

PENDING - **ACCEPTANCE OF ANY REPORT**.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-237)** 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-237)** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-322)** - Minority (3) **Ought Not to Pass** - Committee on **LABOR AND HOUSING** on Bill "An Act to Allow Employees to Request Flexible Work Schedules"

(H.P. 516) (L.D. 827)

TABLED - June 6, 2023 (Till Later Today) by Representative ROEDER of Bangor.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

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

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

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

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

Representative **BRADSTREET**: Thank you, Madam Speaker. I'm glad to rise. I hope I don't give myself away but; because I know the Good Representative from Bangor will probably follow me and I'll try not to confuse things. Anyway, I think the situation we've been in here lately is really an object lesson for us. The bill calls for a time to schedule flexible scheduling for six months. Madam Speaker, we've been here for almost six months and I think we've all found how hard it is to schedule anything that far in advance. You know, Maine employees, employers, have always worked together to find acceptable solutions to scheduling. Also, you know, the only people who testified in favor of this was the sponsor and one data analyst and yet, there was overwhelming opposition to the bill in Committee. Are we going to pass laws where only a few people want them? If they really do nothing practical to solve any problem that might be out there or are we going to pass a law that's going to cause a big problem with paperwork and bureaucracy for all these employers? I'm sorry, Madam Speaker, this is bill is unnecessary and I hope we vote against it. Thank you, Madam Speaker.

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

Representative **ROEDER**: Thank you, Madam Speaker, and I would like to say it is an honor to follow the Good Representative from Vassalboro. To the point about the six-month timeframe, employees are able to request up to six months and all this does is make the right to request a flexible schedule a right for the employee, that they not face retaliation under that. Also, an employer may deny that request for just about any reason. Thank you.

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

ROLL CALL NO. 242

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Matlack, Meyer, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Rielly, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, 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, Lavigne, Lemelin, Libby, Lyman, Mason, Mastraccio, 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, Fay, Lanigan, Mathieson, Millett R, Riseman, Roberts, Shaw.

Yes, 75; No, 67; Absent, 8; Excused, 1.

75 having voted in the affirmative and 67 voted in the negative, with 8 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-322)** 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-322)** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (H-389)** - Minority (4) **Ought Not to Pass** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act to Ensure the Quality of Bottled Water"

(H.P. 796) (L.D. 1248)

TABLED - June 8, 2023 (Till Later Today) by Representative MEYER of Eliot.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

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" (H-389)** was **READ** by the Clerk.

Representative GRAMLICH of Old Orchard Beach **PRESENTED House Amendment "A" (H-483)** to **Committee Amendment "A" (H-389)**, which was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (H-389) as Amended by House Amendment "A" (H-483) thereto was **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-389) as Amended by House Amendment "A" (H-483)** thereto and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (8) **Ought Not to Pass** - Minority (5) **Ought to Pass** - Committee on **STATE AND LOCAL GOVERNMENT** on JOINT RESOLUTION MAKING APPLICATION TO THE CONGRESS OF THE UNITED STATES CALLING A CONVENTION UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION TO PROPOSE AMENDMENTS TO THE UNITED STATES CONSTITUTION TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS

(H.P. 1058)

TABLED - June 8, 2023 (Till Later Today) by Representative TERRY of Gorham.

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

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

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

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

Representative **GREENWOOD**: Thank you, Madam Speaker. I rise tonight to speak on HP 1058, the Joint Resolution Making Application to the Congress of the United States Calling a Convention under Article V to Propose Amendments to the United States Constitution to Impose Fiscal Restraints on the Federal Government, Limit the Power and Jurisdiction of the Federal Government and Limit the Terms of Office for its Officials and Members of Congress.

Article V of the Constitution provides two methods of proposing amendments, either by two-thirds of both Houses of Congress or upon application from two-thirds of the State Legislatures, upon which Congress must call a Convention to propose amendments. The Framers gave us this option to bypass Congress when it refuses to propose needed reforms. Unfortunately, that time has arrived and Congress has become dysfunctional as it no longer hears the people and refuses to propose amendments to limit their own power. Since Congress will not do the right thing, we will do it for them. By using authority under Article V, Maine needs to join with her sister States in order to attain the necessary two-thirds to be able to have the opportunity; I repeat, the opportunity to discuss and propose reforms that will help rein in our runaway federal government.

Madam Speaker, this is not a Constitutional Convention. That would have the power to propose a new Constitution. This is a Convention under Article V of our Constitution that limits the proposing of amendments to the current Constitution that we have. This only happens if two-thirds, which is 34 states; if two-thirds of the State Legislatures concur on the subjects. The convention is limited to those subjects contained in this application and any amendments that are passed must be ratified by three-fourths of the states. Madam Speaker, that's 38. That's a pretty high bar. Ratified by three-fourths before it could become part of our current Constitution. This is not an easy task and it's going to take time to achieve but we must start somewhere, Madam Speaker, and it must start with us; to have Maine participate in this important process. It is time for us as State legislators to stop being afraid of using our authority and embrace the Convention. This is a tool to bring some common sense back to Washington DC. I ask you to oppose the pending motion so we would have the opportunity to vote on HP 1058. 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. 243

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

ABSENT - Adams, Fay, Lanigan, Mathieson, Millett R, Riseman, Roberts, Shaw.

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

79 having voted in the affirmative and 63 voted in the negative, with 8 being absent and 1 excused, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

An Act to Increase Reimbursement Under the General Assistance Program (EMERGENCY)

(S.P. 669) (L.D. 1664)
(C. "A" S-209)

TABLED - June 13, 2023 (Till Later Today) by Representative TERRY of Gorham.

PENDING - **PASSAGE TO BE ENACTED.**

On motion of Representative MEYER of Eliot, 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" (S-209).**

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" (S-209)** was **ADOPTED.**

The same Representative **PRESENTED House Amendment "A" (H-535)** to **Committee Amendment "A" (S-209)** which was **READ** by the Clerk and **ADOPTED.**

Committee Amendment "A" (S-209) as Amended by **House Amendment "A" (H-535)** thereto was **ADOPTED.**

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by House Amendment "A" (S-209)** as Amended by **House Amendment "A" (H-535)** thereto in **NON-CONCURRENCE** and sent for concurrence.

Bill "An Act to Comprehensively and Equitably Reform Electricity Rates"

(H.P. 347) (L.D. 542)

- In House, Report "A" (6) **OUGHT TO PASS AS AMENDED** 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-277)** on June 6, 2023.

- In Senate, Report "C" (3) **OUGHT NOT TO PASS** of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** was **READ** and **ACCEPTED** in **NON-CONCURRENCE.**

TABLED - June 13, 2023 (Till Later Today) by Representative ZEIGLER of Montville.

PENDING - **FURTHER CONSIDERATION.**

On motion of Representative RUNTE of York, the House voted to **RECEDE.**

The same Representative **PRESENTED House Amendment "A" (H-526)** to **Committee Amendment "A" (H-277)**, which was **READ** by the Clerk and **ADOPTED.**

Committee Amendment "A" (H-277) as Amended by **House Amendment "A" (H-526)** thereto was **ADOPTED.**

Subsequently, the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-277)** as Amended by **House Amendment "A" (H-526)** thereto in **NON-CONCURRENCE** and sent for concurrence.

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

SENATE DIVIDED REPORT - Majority (9) **Ought Not to Pass** - Minority (3) **Ought to Pass as Amended by Committee Amendment "A" (S-276)** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on An Act to End the Maine Information and Analysis Center Program

(S.P. 527) (L.D. 1290)

- In Senate, Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

TABLED - June 13, 2023 by Representative SALISBURY of Westbrook.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

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

HOUSE DIVIDED REPORT - Majority (7) **Ought Not to Pass** - Minority (6) **Ought to Pass as Amended by Committee Amendment "A" (H-522)** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Prohibit Government Officials from Maintaining Records Related to Firearms Owners"

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

TABLED - June 14, 2023 (Till Later Today) by Representative SALISBURY of Westbrook.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

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

HOUSE DIVIDED REPORT - Majority (8) **Ought Not to Pass** - Minority (5) **Ought to Pass as Amended by Committee Amendment "A" (H-513)** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on An Act to Enhance Privacy and Prohibit Shipping Companies from Maintaining Records of Firearm and Ammunition Shipments

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

TABLED - June 14, 2023 (Till Later Today) by Representative SALISBURY of Westbrook.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

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

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-512)** - Minority (6) **Ought Not to Pass** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Prohibit the Sale or Possession of Rapid-fire Modification Devices"

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

TABLED - June 14, 2023 (Till Later Today) by Representative SALISBURY of Westbrook.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

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

Representative ANDREWS of Paris **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, Friends and Colleagues in the House. I strongly oppose the motion of Ought to Pass. This bill would criminalize Maine citizens who own products that are allowed by rules established by the Bureau of Alcohol, Tobacco and Firearms without meeting any valid public safety need. There is no plague of violence sweeping across our State caused by so-called rapid-fire modifications. There are no nightly, weekly or monthly news headlines highlighting people killed in our State by them. Yet this bill would make unlawful even legal automatic weapons registered with the ATF. Firearms that Maine citizens have legally purchased, spending tens of thousands of dollars on a piece, gone through extensive vetting, approval and extended background checks, and have paid a special federal tax stamp on. This bill would require that Maine citizens surrender or destroy their costly and legally-owned and registered property without recompense and in an unconstitutional manner, causing a serious violation of the taking clause.

During testimony, it was expressed to the Committee in no uncertain terms that some people were completely fine with that. It was stated in testimony that they could justify such actions because they felt that such devices were wants and not needs. Madam Speaker, that is not how our Constitution or our property rights work. Our property rights are based on the common law principles that an individual person can be distinguished from another individual person not just in who they are but on everything they hold. As such, Maine citizens are entitled to the sole dominion of their private property, including the rights of acquisition, enjoyment and disposal. Who then decides what is a need and what is a want? Not us, Madam Speaker. We don't have the constitutional authority and we don't have the moral authority. But to be truthful, Madam Speaker, it doesn't matter because there is no litmus test of want or need in the Constitution.

There are those that say it is constitutional because other states have passed such laws. But we know a law is not magically made constitutional just because some group of lawmakers deem it so. There are those that say that the courts have upheld some bans, but they will neglect to tell you that other courts have struck down the bans, including the Fifth and Sixth Circuit Courts, and that the Supreme Court has yet to rule on the issue. Madam Speaker, in light of our duty to protect the constitutionally-protected property rights of Maine's citizens and the ambiguity of the courts on the matter, I respectfully ask that you reject the Ought to Pass motion. Thank you.

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

Representative **WHITE**: Good evening, Madam Speaker, and thank you for allowing me to rise. I agree wholeheartedly with the Representative from Dover-Foxcroft, so, I won't cover all that ground, but I do want to touch on the technical aspect of this. This proposed bill here is full of many items and one thing that drew my attention was an amendment that described an auto sear that just physically does not work. The technical aspects of this bill, let me state this without impugning the author; however, the technical aspects of this bill just do not work. The auto sear described would not cause a firearm to fire full auto nor would it even come close to such a thing; it would, as described, literally render the firearm useless, so, I don't understand why that would be presented as being rapid fire.

The litany of items that are listed here go across quite a gamut, from training devices; and by training devices, I don't mean training like military or law enforcement, I mean devices

used for basic firearm safety training. There was testimony from an individual who trains who is describing a binary trigger as a tool that he uses to teach trigger control so that his students will develop better skills to be intentional about the targets they are firing on instead of firing quickly. So, there again, another item that's being portrayed as a rapid-fire device that is quite commonly used to slow down the firing by the individual. So, my reason for standing up, Madam Speaker, is just to say that the bill is poorly written. There's a gamut of things that are addressed here that will, if passed, most definitely cause the State to enter into long and costly litigation. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Freeport, Representative Sachs.

Representative **SACHS**: Thank you, Madam Speaker. I rise in support of the pending motion and though my voice may be weak, my resolve is quite strong. This bill as described, much like the intent of one co-sponsored by Maine's own Senator, Susan Collins, on the federal level, makes the possession, transfer, distribution, sale or importation into this State of a rapid-fire modification device a class D crime and it goes on to describe those devices. These are accessory devices, Madam Speaker, add-ons.

There are many, many reasons to support this bill. I urge you to support this bill if you support law enforcement. I would like to read an excerpt from the testimony of the Kennebec County District Attorney Maeghan Maloney, who supports this bill. On December 22, 2019, at approximately 1 p.m., a Waterville police officer responded to a shoplifting complaint at Walmart. When the officer followed the suspect's vehicle out of the Walmart parking lot, he was not expecting a regular traffic stop to result in numerous rounds of gunfire being shot at him in a high-speed chase covering both Kennebec and Somerset Counties. The officer was not expecting to be shot twice, once in each arm, effectively incapacitating him. Other law enforcement officers took up pursuit. In the process, a total of nine officers dodged bullets before the suspect could be subdued. Why were so many officers required? The suspect was using a binary trigger system, one noted in this bill. That day, one officer was physically shot twice but all of the officers suffered severe trauma. Four of the officers who testified at sentencing spoke of trying to return to law enforcement. They talked of the pride they felt protecting our community and they testified to the constant nightmares and shaking when putting on their uniforms after December 22nd. Today, these officers are civilians. A handgun or a hunting rifle could not have caused this assault, this barrage of bullets, Madam Speaker, to the physical and mental well-being of those who strive every day to protect us. Their job is hard enough, we don't need to make it harder. When opponents ask what a difference a bill like this can make, ask those officers.

I urge you to support this bill if you enjoy our heritage hunting activities. My family in New Sharon, Maine, hunted and trapped to put food on the table. In the words of the Cumberland County Sheriff, Kevin Joyce, who also testified in support of this bill, make these devices become more like weapons of war and serve no purpose to those who honor Maine traditions such as hunting. I urge you to recognize and support this bill if you recognize the value of supporting common-sense laws that are found in red states, blue states and purple states. This; quote-unquote; poorly-written law is actually in Statute in many of these states and, frankly, conflating the current cases that are before the Fifth and Sixth Circuit regarding former President Trump's attempt to make these devices machine guns, that is not this bill. This bill, Madam Speaker, sticks strictly to devices.

These states are Florida, Virginia, New York, Washington State, as well as our own New England neighbors such as Connecticut, Rhode Island and Massachusetts. They vary in the strength of their gun safety laws but they all agree on this bill, Madam Speaker. And also support this bill if you support the Second Amendment and Maine's Constitution. This bill, despite the words we heard today from our colleagues, does not address firearms at all. It addresses accessories. And there have been no cases where rapid-fire devices, modification devices such as these, in many states, have instituted these laws despite several challenges, they have not been found to be unconstitutional. The slippery slope trotted out in so many arguments such as these does not apply here to this bill, Madam Speaker. And for those who own these items, again, several courts have upheld that there is no; quote-unquote; right to compensation for these accessory devices.

As DA Maloney stated at the end of her testimony, their job is hard enough. We don't need to make their job harder. I urge you to support and protect our law enforcement partners and our communities and vote to support the motion before us. Thank you, Madam Speaker.

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

Representative **WHITE**: Thank you, Madam Speaker. I apologize for rising a second time. However, I would like to comment to some of the testimony that was just given.

Some of these devices listed are not accessory devices. They do come furnished on firearms right from the factory, first time, without modification. The idea that the only reason the criminal that held those police at bay was the binary trigger installed and the firearm he was using is totally subjective. In 1980, my uncle, who was an Oklahoma highway patrolman responding to a call, lost his left eye in this event where a teenage boy was firing upon his cruiser as he approached the scene and he was using a bolt-action rifle. And before the afternoon had come to a conclusion, there were over 65 officers that were there before the subject was subdued. And that was with a hundred-year-old bolt-action rifle. So, someone with malice and evil intent can do such things with far, you know, far less or certainly not; you know, we can't attribute one scenario to banning property for a whole State.

And like my colleague from Dover-Foxcroft said, some of these things listed on this bill are quite expensive. A binary trigger, for instance, may cost as much as \$400 to \$500. It was stated in testimony that it was a \$5 piece of plastic and that's just utterly not true. Like I said, the rate of fire does not rise with any of these things listed. The rate of fire on the firearm is calculated from a totally different standpoint. So, this bill is full of technical issues that are incorrect and if people are quite all right with that, we'll all vote like we're going to vote. So, thank you, Madam Speaker.

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

Representative **ANDREWS**: Thank you, Madam Speaker. People who shoot law enforcement officers don't follow the law because shooting cops is already illegal. They're demonstrating they're not going to follow that law, they're not going to follow this law. All this bill would do is turn our constituents into felons for purchasing a legal process. If you actually want to acquire an automatic weapon, it's a 12-month background investigation done by the ATF and largely because of supply and demand, the select-fire firearms were banned in 1986, they can't be manufactured in the States, it's supply and demand, so those things go for more than my truck cost, which is \$30,000. It's

cost-prohibitive for criminals to use these. This bill is an overreach and should be voted down. Thank you.

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

ROLL CALL NO. 244

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

ABSENT - Adams, Fay, Lanigan, Mathieson, Millett R, Riseman, Roberts, Shaw.

Yes, 76; No, 66; Absent, 8; Vacant, 0; Excused, 1.

76 having voted in the affirmative and 66 voted in the negative, with 8 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-512)** 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-512)** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (12) **Ought to Pass as Amended by Committee Amendment "A" (H-497)** - Minority (1) **Ought Not to Pass** - Committee on **TRANSPORTATION** on Bill "An Act to Modernize the State Motor Vehicle Inspection Program"

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

TABLED - June 14, 2023 (Till Later Today) by Representative ANKELES of Brunswick.

PENDING - Motion of Representative WILLIAMS of Bar Harbor to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

Representative ANDREWS of Paris **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 Scarborough, Representative Warren.

Representative **WARREN**: Thank you, Madam Speaker. I'm rising to oppose the current motion because I see this bill and my issues with it as an economic justice issue. The fee charge, as proposed, almost doubles the cost of the fee and the funds they're going to develop a digital data collection system. And I want to be specific about one implication of that and why I think it's an economic justice issue. If all garages that administer registration inspections will now have to be required to input that data into this system, other garages will be able to see that data in almost or actually real time, reducing the likelihood that a person might be able to pass inspection. And, as part of that, the implication of that, why I think this is an economic justice issue, is that there is already a longstanding need to reform standards we set to pass inspection. Whether these annual inspections are evaluating risks that meaningfully reduce fatality and harm to Mainers, that is an open question, I believe, respectfully.

I want to see us reform the inspection process itself but I would ask us all to consider and perhaps resist the decision to pass this motion tonight because I believe that it shoulders the burden of such a reform that is questionable in the interests of public safety on poor and working people to pick up the cost of an expensive digital data collection upgrade and, instead, pursue solutions to what are legitimately needed reforms and what I know are all of our shared goals to public safety, greater public safety on our roads. I hope you'll follow my light. Thank you.

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

Representative **ANKELES**: Thank you, Madam Speaker, Members of the House. I rise in support of the pending motion.

This bill as amended modernizes Maine's motor vehicle inspection program in ways that make it more efficient, more effective and more sustainable. The 130th Legislature passed LD 284, An Act To Study Maine's Motor Vehicle Inspection Program, and it created a working group to do just that. Participants in the working group included lawmakers, the Department of Public Safety and multiple garages, among others. One of the core recommendations they unanimously agreed on was to immediately adopt an electronic inspection program. They felt this would leverage technology to stay current with modern inspection practices, reduce inspection fraud and black-market sticker trading, could improve Maine's coming transition toward electronic titling and better protect consumers who depend on having road-worthy vehicles to go where they need to go.

Our Committee reviewed this report this year and, as you can see from the Committee Report, we came to the same conclusion. The question then was how do we do it, how could we balance the competing desires of the various stakeholders that interact with this program and still get the job done? We held multiple work sessions on this legislation, knowing that passing this was something the Department of Public Safety felt strongly about, and that if we stayed at the table, we would find a way. And we did find compromise, Madam Speaker. Some of our colleagues were worried that fewer and fewer garages were willing to perform inspections because the gap between the compensation they were getting and the cost of their time was growing wider. This has a disproportionate effect on our smaller garages, who we should want to support. So, under this bill, for the first time in years, mechanics who perform inspections will be better compensated for their work. Think of

the work we did to help bottle redemption centers. There are some similar elements at play here.

Madam Speaker, I know there is some hostility on both sides of this Chamber to the proposed \$7.50 increase in the inspection fees and, of course, hostility to the program itself. But please consider this; the Legislature has already defeated proposals to eliminate inspections. So, if we're not going to do that, why shouldn't we be making sure the program works as effectively and as efficiently as possible? We are one of the only States whose inspection program hasn't yet gone digital and we can't keep holding ourselves back. An e-inspection program would benefit the consumer by reducing fraud and attempted overselling of parts and repair. The consumer would also receive a copy of the vehicle inspection report. With a better, modern program, the fee increase would be more than likely to be offset by the reduction in unnecessary repairs and by forcing other vehicles into compliance, reducing the number of costly crashes. There are positive ripple effects here.

Every last Member of our Committee takes our mission to preserve and improve road safety, passenger safety and pedestrian safety extremely seriously, whether we vote the same way or not. We take it so seriously that 12 of us on the Committee set aside the political risks associated with a bill like this and risked bringing it up here to this Chamber. With the understanding that this isn't an easy vote for everyone here, I respectfully ask this Body to honor our work and support the pending motion. Thank you, Madam Speaker.

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

Representative **SUPICA**: Thank you, Madam Speaker. I'd like to pose a question through the Chair?

The SPEAKER: The Member may proceed.

Representative **SUPICA**: I was curious about the technology aspect that is being proposed and I'm hearing that it would create; and I just wanted confirmation if this was true or not so there isn't misinformation; that it would create a database so if you went to one garage and they failed you, there would be a record of the reasons why they failed you and then if you went to another garage, they can look up that record. I was wondering if anybody knew if that was true.

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

Representative **CRAFTS**: Thank you, Madam Speaker. It's my understanding that yes, this does enter the plate and VIN number of the vehicle that's been inspected and includes a reason for failing the inspection.

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

Representative **BOYER**: Thank you, Madam Speaker. I rise against the pending motion. Madam Speaker, I have concerns that we're contracting with a private entity that's not the State with this. I have concerns that the little rust on the back of your truck bed is going to follow you from one inspection spot to another. We know the inspection process hurts the poor the most. This is a regressive system. People that buy new cars pass inspection. People that have old cars often don't pass inspection, often dread the day they're sticker's going up and go to great bounds and lengths to either, you know, make a fake sticker or just go without the sticker, they get pulled over, that causes additional issues, they have a record, it perpetuates.

So, I really think this is the wrong direction for our State. My colleagues in the VLA Committee know some of the issues with contracting with a third-party software and how to amend

the contracts and the costs to it. So, I hope that, you know, I think the mechanics and the garages are going to spend more time on this taking pictures. I don't think the old-timers are going to want to be using the iPad all over the place and I really do feel that less stations are going to choose to inspect. So, thank you, Madam Speaker.

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

Representative **WHITE**: Madam Speaker and Members of the House, when I go home this evening, along with all of us, hopefully soon, after resting a bit, I'll be checking my email for the Friday Calendar. And, of course, when I come in tomorrow morning, I'll have this tablet at my desk so I can view the calendar and other information related to the business of the day. I can do these things because in recent years, we have modernized the way we do things.

LD 900 received unanimous vote out of the Transportation Committee last year and this year, another bipartisan 12-1 vote. This has the full support of the Department of Public Safety. There are approximately 1.3 million inspections per year. It's a manual process to order, mail out and receive back all the stub sheets and other forms. That is a costly process. In fact, the cost is about \$100,000 per year in postage alone, not counting all the manpower involved. Those would be savings passed on to the Department. I would like to point out that this doesn't change any of the items that are presently inspected. And, yes, those have been issues over the years and we address those from time to time and if somebody wants to put a bill in to consider those, that can be done, obviously. No personally identifiable information will be housed in the database. The only information will be the VIN number and the plate number.

Fake and stolen stickers are fairly common. There are approximately 25 inspection station burglaries each year where stickers are stolen. The stickers are sold and traded for \$100-250 and the electronic program would prevent this by having print-on-demand stickers. Stations will not have to buy any equipment. The modernization will be rolled out over a period of approximately two years. And, yes, while the fee does go up from \$12.50 to \$20.00, that equals 62 cents per month or 15 cents per week. In Cumberland County, where the fee is \$18.50 now, it will go up to \$20.00 and that fee just goes towards paying the equipment. So, I believe the fee increase is irrelevant and I ask for your support on this pending motion. Thank you.

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

Representative **PARRY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of the pending motion. I a hundred percent agree with what my Good Friend from Waterville just mentioned and also my Good Friend from Brunswick earlier. I couldn't've said it any better myself.

I did want to rise and talk about the increase in the cost. The increase in the cost, as my Good Friend from Waterville just said, it's going from \$12.50 to \$20.00. We set that fee of \$12.50 22 years ago, when the minimum wage was \$5.75. I believe this Body just passed a bill raising the minimum wage to \$15.00 an hour. Out of that \$12.50, \$2.50 goes to the State currently. So, the garages are getting 10 bucks. I looked at this as a fairness thing for the garages and the program. If we're going to keep the inspection program, we have got to be able to have the garages able to charge a little bit more because the cost to them is they are losing money virtually on every sticker and we don't want garages to find problems. We should at least cover their cost of labor to do the inspections. Most inspections take between half an hour and 45 minutes. They're probably paying their techs now somewhere between \$30 and \$40 an hour. So,

I looked at it that the cost difference was a necessity for the fairness to our small garages that need the fee increase. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Harpswell, Representative Golek.

Representative **GOLEK**: Thank you, Madam Speaker. Forgive me, I didn't plan on speaking tonight, so, I don't have anything prepared but I want to stand just to talk about this modernization of our inspection program and hearing people say, you know, there's a \$7.50 increase, who that is really going to affect. That is going to affect the poor population that is already struggling maintaining their cars and getting their cars inspected. So, therefore, I cannot support this bill. I would like to see us start talking as a State on modernizing our inspection to eliminate it. We are at 15 states now still have inspection stickers. The Maine Department of Transportation stated in 2009 that only 3% of accidents are caused by mechanical failure. So, there's no data that shows, you know, just because we get our cars inspected that it prevents any of that. But, anyways, I will keep it short and say that, you know, I hope that we can find a better way to go about this that is not going to affect the poor population of our State. Thank you.

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

Representative **NESS**: Thank you, Madam Speaker. May I pose a question through the Chair?

The SPEAKER: The Member may proceed.

Representative **NESS**: Thank you, Madam Speaker. I was just wondering if any Member may know how much the State will get out of the new \$20.00 fee?

The SPEAKER: The Member has posed a question to anyone able to answer. The Chair recognizes the Representative from Arundel, Representative Parry.

Representative **PARRY**: As I understand it, the State will get no more. They're guessing between \$1.20 and \$1.50 extra for the new sticker program. The company that does all the electronic stickers will furnish all the equipment and I believe it's between \$1.20 and \$1.50, one of my colleagues can correct me if I'm wrong.

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

Representative **WHITE**: Thank you, Madam Speaker. Just want to make sure that, you know, we realize the cost has not been set yet but we believe it could be maybe \$1-3, the cost to the contractor, so, that would give the additional funds to the garage directly. And so, correct, the Department of Public Safety will not make any additional money on this. Thank you.

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

ROLL CALL NO. 245

YEA - Albert, Ankeles, Arford, Babin, Bell, Blier, Boyle, Bradstreet, Brennan, Bridgeo, Carmichael, Cloutier, Cluchey, Collamore, Copeland, Crafts, Craven, Crockett, Dhalac, Dodge, Doudera, Ducharme, Galletta, Gattine, Geiger, Gere, Graham, Haggan, Hasenfus, Hepler, Hobbs, Jauch, Kuhn, Landry, LaRochelle, Lee, Madigan, Malon, Mastraccio, Matlack, Meyer, Millett H, Montell, Moonen, Moriarty, Murphy, Nutting, O'Connell, Osher, Parry, Paulhus, Perry A, Perry J, Pringle, Rielly, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Sheehan, Stover, Swallow, Terry, Theriault, Underwood, White B, White J, Williams, Worth, Zager, Zeigler.

NAY - Abdi, Andrews, Arata, Ardell, Bagshaw, Boyer, Campbell, Carlow, Collings, Costain, Cray, Cyrway, Davis, Dill, Drinkwater, Dunphy, Eaton, Faulkingham, Foster, Fredericks, Gifford, Golek, Gramlich, Greenwood, Griffin, Guerrette, Hall, Henderson, Hymes, Jackson, Javner, Kessler, Lavigne, Lemelin, Libby, Lookner, Lyman, Mason, Milliken, Morris, Ness, Newman, O'Neil, Paul, Perkins, Pluecker, Poirier, Polewarczyk, Pomerleau, Quint, Rana, Reckitt, Roeder, Rudnicki, Sampson, Schmersal-Burgess, Simmons, Skold, Smith, Soboleski, Strout, Supica, Thorne, Walker, Warren, Wood, Woodsome, Madam Speaker.

ABSENT - Adams, Fay, Lanigan, Mathieson, Millett R, Riseman, Roberts, Shaw.

Yes, 74; No, 68; Absent, 8; Vacant, 0; Excused, 1.

74 having voted in the affirmative and 68 voted in the negative, with 8 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-497)** 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-497)** and sent for concurrence.

HOUSE DIVIDED REPORT - Majority (11) **Ought Not to Pass** - Minority (2) **Ought to Pass as Amended by Committee Amendment "A" (H-471)** - Committee on **TRANSPORTATION** on Resolve, to Provide for One Month of Free Passenger Rail Service in Maine

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

TABLED - June 14, 2023 (Till Later Today) by Representative TERRY of Gorham.

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

Subsequently, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

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

REPORTS OF COMMITTEE
Divided Reports

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act to Lower the State's Individual Income Tax"

(S.P. 655) (L.D. 1638)

Signed:
Senators:

GROHOSKI of Hancock
CHIPMAN of Cumberland
LIBBY of Cumberland

Representatives:

PERRY of Bangor
CARMICHAEL of Greenbush
CROCKETT of Portland
HASENFUS of Readfield
LAVIGNE of Berwick
MATLACK of St. George
RANA of Bangor
RUDNICKI of Fairfield

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-329)** on same Bill.

Signed:

Representatives:

LIBBY of Auburn
QUINT of Hodgdon

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

READ.

On motion of Representative PERRY of Bangor, 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 Prohibit All State Subsidies for Electric Vehicles" (H.P. 1048) (L.D. 1623)

Signed:

Senator:

LAWRENCE of York

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-550)** on same Bill.

Signed:

Senator:

HARRINGTON of York

Representatives:

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

READ.

Representative ZEIGLER of Montville moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative FOSTER of Dexter **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 Fairfield, Representative Rudnicki.

Representative **RUDNICKI**: Thank you, Madam Speaker. I'm just going to make this really simple. Why should we subsidize somebody that can afford a \$30-, \$40-, \$50,000 electric vehicle for those of us that can't afford one? So, this bill

basically does away with subsidies for people that can afford those. So, follow my light, vote this down.

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

ROLL CALL NO. 246

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

ABSENT - Adams, Craven, Fay, Lanigan, Mathieson, Millett R, Riseman, Roberts, Shaw.

Yes, 74; No, 67; Absent, 9; Vacant, 0; Excused, 1.

74 having voted in the affirmative and 67 voted in the negative, with 9 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 Resolve, to Promote Passenger Rail for Commuters

(H.P. 742) (L.D. 1170)

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-555)** on same Resolve.

Signed:

Senators:

CHIPMAN of Cumberland
NANGLE of Cumberland

READ.

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

CONSENT CALENDAR

First Day

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

(S.P. 574) (L.D. 1456) Bill "An Act to Facilitate the Expansion of Broadband" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-336)**

(S.P. 634) (L.D. 1602) Bill "An Act to Implement the Recommendations of the Stakeholder Group Convened by the Emergency Medical Services' Board on Financial Health of Ambulance Services" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-338)**

(S.P. 720) (L.D. 1795) Bill "An Act to Protect Patients by Prohibiting Certain Medical Facility Fees" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-335)**

(H.P. 271) (L.D. 438) Bill "An Act to Clarify and Amend the Department of Inland Fisheries and Wildlife Licensing Laws" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-556)**

(H.P. 309) (L.D. 492) Bill "An Act to Repurpose Vacant Shopping Mall and Retail Space to Mixed-use Housing and Retail" Joint Select Committee on **HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-557)**

(H.P. 428) (L.D. 659) Bill "An Act to Promote Seamless and Flexible Home and Community Supports Across the Lifespan for Individuals with Intellectual and Developmental Disabilities or Autism" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-558)**

(H.P. 643) (L.D. 1007) Bill "An Act to Ban the Video Hosting Service TikTok on All State-owned Devices" (EMERGENCY) Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-570)**

(H.P. 1004) (L.D. 1559) Bill "An Act to Advance the State's Public Transit Systems by Reinvigorating the Public Transit Advisory Council and Increasing Funding" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-568)**

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 as Amended** and sent for concurrence.

(H.P. 984) (L.D. 1529) Bill "An Act to Reform the State's Adult Use Cannabis Seed-to-sale Tracking System to Allow for Canopy Tagging" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-569)**

On motion of Representative SUPICA of Bangor, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

On further motion of the same Representative, **TABLED** pending **ACCEPTANCE** of the Committee Report and later today assigned.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-339)** on Bill "An Act to Facilitate Communication Between Pro Se Defendants and Assistant District Attorneys" (S.P. 244) (L.D. 576)

Signed:

Senators:

CARNEY of Cumberland

BAILEY of York

BRAKEY of Androscoggin

Representatives:

MOONEN of Portland

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 Bill.

Signed:

Representative:

ANDREWS of Paris

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (S-339)** Report.

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-339)**.

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-339)** 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-339)** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass** on Bill "An Act to Amend the Law Governing Special Motions to Dismiss to Include Workplace and Title IX Claims"

(S.P. 623) (L.D. 1592)

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

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

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

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

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

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

READ.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-559)** on Bill "An Act to Ensure the Accuracy of Vital Records with Respect to Gender"

(H.P. 962) (L.D. 1507)

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 Not to Pass** 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 Minority **Ought Not to Pass** Report.

READ.

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

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

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

The **SPEAKER**: 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. 247

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

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

ABSENT - Adams, Craven, Drinkwater, Fay, Lanigan, Mathieson, Millett R, Riseman, Roberts, Shaw, Zeigler.

Yes, 75; No, 64; Absent, 11; Vacant, 0; Excused, 1.

75 having voted in the affirmative and 64 voted in the negative, with 11 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-559)** 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-559)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-567)** on Bill "An Act to Streamline the Process for Amending a Birth Certificate of an Adult When Genetic Parentage is Not Disputed"

(H.P. 1049) (L.D. 1624)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York
BRAKEY of Androscoggin

Representatives:

MOONEN of Portland
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 Bill.

Signed:

Representative:

ANDREWS of Paris

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (H-567)** Report.

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-567)** 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-567)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act to Prohibit Discrimination Against Cannabis Establishment Owners and Employees and Cannabis Users"

(H.P. 1057) (L.D. 1647)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York

Representatives:

MOONEN of Portland
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 to Pass** on same Bill.

Signed:

Senator:

BRAKEY of Androscoggin

Representative:

ANDREWS of Paris

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

READ.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act to Amend the Freedom of Access Act and Related Provisions"

(H.P. 1088) (L.D. 1699)

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-566)** on same Bill.

Signed:

Senator:

BRAKEY of Androscoggin

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.

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 Empower Jurors by Allowing Instructions That They May Find a Defendant Not Guilty if a Guilty Verdict Would Yield an Unjust Result" (H.P. 1145) (L.D. 1782)

Signed:

Senators:

CARNEY of Cumberland

BAILEY of York

Representatives:

MOONEN of Portland

HAGGAN of Hampden

KUHN of Falmouth

LEE of Auburn

MORIARTY of Cumberland

POIRIER of Skowhegan

RECKITT of South Portland

SHEEHAN of Biddeford

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

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

ANDREWS of Paris

HENDERSON of Rumford

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Minority **Ought to Pass** Report.

READ.

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

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

The **SPEAKER**: The Chair recognizes the Representative from Yarmouth, Representative Bell.

Representative **BELL**: Madam Speaker, I request unanimous consent to address the House on the record.

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

Representative **BELL**: Thank you, Madam Speaker. In reference to Roll Call No. 233 on LD 329, had I been present, I would have voted yea.

The **SPEAKER**: The Chair would like to thank the Members for having professionalism and patience and flexibility throughout these last two days. It has been a productive two days. I want to thank you for each contributing to that and exhibiting respect for your colleagues and for the dedication to the work.

On motion of Representative CARMICHAEL of Greenbush, the House adjourned at 10:25 p.m., until 10:00 a.m., Friday, June 16, 2023, in honor and lasting tribute to Edward C. Haverlock of Greenbush, Eula Kimball Rossignol of Medway and Harvey A. Jordan of Chester.