

MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE
FIRST SPECIAL SESSION
33rd Legislative Day
Monday, June 26, 2023

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

Prayer by Pastor Frank Gleason, CenterPoint Community Church, Anson.

National Anthem by Maryssa Bolduc, Palermo.

Pledge of Allegiance.

The Journal of Friday, June 23, 2023 was read and approved.

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

SENATE PAPERS

The following Joint Resolution: (S.P. 839)

JOINT RESOLUTION RECOGNIZING MAINE'S MOTOR COACH INDUSTRY

WHEREAS, the American Bus Association estimates that a coach with an average of 40 passengers traveling to Maine represents spending of \$10,000 to \$12,000 dollars for each night in the State, including lodging, meals and purchases at stores as well as tolls, taxes and fuel purchases; and

WHEREAS, Maine's 4 largest motor coach businesses, Cyr Bus Line, Custom Coach and Limousine, Northeast Charter and Tour Company and VIP Tour and Charter Bus Company, and other smaller operators employ over 400 residents as drivers, mechanics, dispatch personnel, facility and vehicle service personnel and guides; and

WHEREAS, all of Maine's charter bus companies are family owned and almost all New England carriers are family owned and operated; and

WHEREAS, the New England Bus Association's annual meeting, held in the City of Portland from June 25th to June 27th, will host between 40 and 50 motor coach industry owners from across New England; 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 Maine's motor coach industry, the State's hosting of the New England Bus Association's annual meeting and the opportunity to showcase what Maine has to offer.

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

Non-Concurrent Matter

Bill "An Act to Change How the Adult Use Cannabis Excise Tax Is Calculated"

(S.P. 559) (L.D. 1392)

Bill and accompanying papers **INDEFINITELY POSTPONED** in the House on June 23, 2023.

Came from the Senate with that Body having **ADHERED** to its former action whereby the Majority (10) **OUGHT TO PASS AS AMENDED** Report of the Committee on **TAXATION** was **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-418)** in **NON-CONCURRENCE**.

The House voted to **ADHERE**.

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Old Town High School Varsity Baseball Team, which won the Class B State Championship. We extend our congratulations and best wishes;

(HLS 525)

Presented by Representative DILL of Old Town.

Cosponsored by Senator TIPPING of Penobscot.

On **OBJECTION** of Representative DILL of Old Town, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Old Town, Representative Dill.

Representative **DILL**: Thank you, Madam Speaker. I rise, actually, for kind of two occasions right here. The first is I want to congratulate the Old Town High School Class B North Champs, who had a 17-2 record this year and they played last week against Yarmouth, who was 14-6. And Old Town won the State Championship in a one-to-nothing thriller with the sixth inning when they got their one run. And that's their second State Championship in the last three years.

And the other reason why I want to say a couple of words is accompanying the team today is Coach David Ploch and I had a Sentiment earlier in the year for David Ploch and after 40 years of teaching, he's retiring from Old Town High School. But my Sentiment was for after 31 years of coaching swim and diving at Old Town High School, he amassed 14 State Championships and he was named Coach of the Year this past year. And I just wanted to say that he has touched thousands of young lives positively by his expertise, his caring demeanor and his one-of-a-kind sense of humor. An incredible loss for Old Town High School. Thank you, Madam Speaker.

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-369)** on Bill "An Act Relating to Energy Storage and the State's Energy Goals"

(S.P. 751) (L.D. 1850)

Signed:

Senators:

LAWRENCE of York
GROHOSKI of Hancock

Representatives:

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

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

Signed:

Senator:

HARRINGTON of York

Representatives:

BABIN of Fort Fairfield

DUNPHY of Embden

FOSTER of Dexter

PAUL of Winterport

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-369) AS AMENDED BY SENATE AMENDMENT "B" (S-430)** thereto.

READ.

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

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

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

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

Representative **FOSTER**: Thank you, Madam Speaker. This bill would expand how much the current Statute would require for the PUC to go out and seek contracts for battery energy storage in the State of Maine. It's completely unnecessary. We have already seen commercial enterprises who are engaging in installing and operating energy storage in Maine without ratepayer subsidies, although ratepayers certainly are paying for that capability. So, this bill is unnecessary and I ask that you help me to oppose it. 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. 331

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

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

ABSENT - Adams, Andrews, Carlow, Collamore, Collings, Cray, Gere, Gifford, Gramlich, Hall, Hepler, Kessler, Lanigan,

Moriarty, Newman, Osher, Parry, Paulhus, Rielly, Rudnicki, Schmursal-Burgess, White B, Worth.

Yes, 72; No, 56; Absent, 23; Vacant, 0; Excused, 0.

72 having voted in the affirmative and 56 voted in the negative, with 23 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-369)** was **READ** by the Clerk.

Senate Amendment "B" (S-430) was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (S-369) as Amended by Senate Amendment "B" (S-430) 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" (S-369) as Amended by Senate Amendment "B" (S-430)** thereto in concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-379)** on Bill "An Act to Ensure That Effective Dates of First Regular Session Direct Initiatives of Legislation Will Occur After the November 2023 Election" (**EMERGENCY**)

(S.P. 323) (L.D. 764)

Signed:

Senator:

HICKMAN of Kennebec

Representatives:

SUPICA of Bangor

COLLINGS of Portland

MALON of Biddeford

MONTELL of Gardiner

RIELLY of Westbrook

RISEMAN of Harrison

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

Signed:

Senator:

TIMBERLAKE of Androscoggin

Representatives:

BOYER of Poland

HYMES of Waldo

RUDNICKI of Fairfield

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-379) AS AMENDED BY SENATE AMENDMENT "B" (S-428)** thereto.

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" (S-379)** was **READ** by the Clerk.

Senate Amendment "B" (S-428) to **Committee Amendment "A" (S-379)** was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (S-379) as Amended by Senate Amendment "B" (S-428) 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" (S-379) as Amended by Senate Amendment "B" (S-428)** thereto in concurrence.

ENACTORS

Emergency Measure

An Act to Clarify the Requirements for Adult Use Cannabis Stores to Transact Sales at Specified Events

(S.P. 102) (L.D. 202)
(C. "A" S-384)

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. 91 voted in favor of the same and 33 against, and accordingly the Bill **FAILED PASSAGE TO BE ENACTED** and was sent to the Senate.

Emergency Measure

Resolve, to Establish the Commission to Study Fair, Equitable and Competitive Income Tax Policy for Maine's Families and Small Businesses

(H.P. 1196) (L.D. 1866)
(C. "A" H-686)

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. 76 voted in favor of the same and 51 against, and accordingly the Resolve **FAILED FINAL PASSAGE** and was sent to the Senate.

Emergency Measure

Resolve, Approving the 2023 Draft and Arrangement of the Constitution of Maine Made by the Chief Justice of the Supreme Judicial Court and Providing for Its Publication and Distribution

(S.P. 837) (L.D. 2015)

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 2 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Mandate

An Act to Return to the Former Owner Any Excess Funds Remaining After the Sale of Foreclosed Property

(H.P. 69) (L.D. 101)
(C. "A" H-713)

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. 112 voted in favor of the same and 6 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Acts

An Act to Ensure Access for All Caregivers to Diaper Changing Stations in State Buildings Open to the Public

(H.P. 61) (L.D. 93)
(C. "A" H-701)

An Act to Make Technical Changes to the Maine Tax Laws

(H.P. 181) (L.D. 283)

(C. "A" H-707)

An Act to Reclassify Certain Offenses Under the Motor Vehicle Laws and Increase the Efficiency of the Criminal Justice System

(H.P. 262) (L.D. 429)

(C. "A" H-337)

An Act to Sustain the Medical Use of Cannabis Program

(H.P. 521) (L.D. 832)

(C. "A" H-706)

An Act to Strengthen Maine's Elementary and Secondary Education System by Clarifying Purposes and Procedures for Reviews of Schools

(H.P. 916) (L.D. 1420)

(S. "A" S-427 to C. "A" H-581)

An Act to Establish the Weighing Point Preclearance Program

(S.P. 573) (L.D. 1455)

(C. "A" S-424)

An Act to Improve Economic Security for Maine Children by Amending the Maine Dependent Exemption Tax Credit

(H.P. 996) (L.D. 1544)

(C. "A" H-712)

An Act Regarding Ongoing Absentee Voting and Tracking of Absentee Ballots

(S.P. 677) (L.D. 1690)

(C. "A" S-396)

An Act to Provide Parity in State Energy Rate Relief Payments and Tax Exemptions for Maine Cannabis Businesses

(S.P. 678) (L.D. 1691)

(C. "A" S-422)

An Act to Expand Maine's Health Care Workforce by Expanding Educational Opportunities

(S.P. 722) (L.D. 1797)

(C. "A" S-417)

An Act to Prohibit Early Termination Fees for Residential Electric Generation Service Contracts

(H.P. 1298) (L.D. 2012)

An Act to Address Abandoned Capital Credits Held by Rural Electrification Cooperatives

(S.P. 835) (L.D. 2013)

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

Resolve

Resolve, to Study Methods of Preventing Opioid Overdose Deaths by Authorizing Harm Reduction Health Centers

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

(C. "B" H-549)

Was 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 Prohibit Campaign Spending by Foreign Governments and Promote an Anticorruption Amendment to the United States Constitution

(I.B. 1) (L.D. 1610)
(C. "A" H-688)

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

On motion of Representative FAULKINGHAM of Winter Harbor, was **SET ASIDE**.

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

The Chair ordered a division on **PASSAGE TO BE ENACTED**.

A vote of the House was taken. 73 voted in favor of the same and 53 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

An Act Relating to Net Energy Billing and Distributed Solar and Energy Storage Systems

(S.P. 815) (L.D. 1986)
(C. "A" S-421)

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

On motion of Representative FOSTER of Dexter, was **SET ASIDE**.

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

Representative **FOSTER**: Thank you, Madam Speaker. Madam Speaker, I stand in opposition to the pending action. After further scrutiny of this bill over the weekend, I could find that it offers no savings to ratepayers. As a matter of fact, you may recall that no one speaking in support of this bill said that it would save ratepayers any amount, nor was any amount by percentage or otherwise given. So, with concern that not all bills have been addressed here yet that may support ratepayer reductions due to net energy billing, I would ask that we defeat the action of enactment on this bill and I ask for a Roll Call.

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: The Chair recognizes the Representative from North Yarmouth, Representative Graham.

Representative **GRAHAM**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of enactment of LD 1986. LD 1986 makes cost reduction improvements to the net energy billing program established by the Legislature in 2019. The program encourages small scale distributed solar and allows the benefits to be shared at the community level. I repeat, Madam Speaker; the community level. It has been a resounding success while allowing participants; schools, municipalities and small businesses; to lower electricity rates. LD 1986 furthers these goals while tightening eligibility requirements to ensure ratepayer savings.

Madam Speaker, three separate small solar companies are in my town, one of which is Branch Renewable Energy. The founder of that company, Chris Byers, moved to Maine because he saw what a positive thing he could do not only to provide solar, to have a healthier environment and to help people have clean energy. Chris let me know that by our previous vote, it saved his business. I urge all of you to please support enactment of this bill.

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

Representative **RUNTE**: Thank you, Madam Speaker. I think I'd like to express the fact that I think there's just not a clear understanding of the distinction between grid-scale solar and local power. They have very different roles and they have very different values. We won't be able to achieve decarbonization and beneficial electrification without both. Beneficial electrification creates a lot of new demand and we can't afford to do this without local generation because it reduces the amount of investments necessary in the infrastructure to be able to support that demand.

Now, I think the comments about the concerns over not doing enough for ratepayers fails to understand this distinction. If we have pricing that includes system benefits, as LD 1986 does, a portion of what is paid to the developers for their generation is for those benefits. Benefits that offset costs that ratepayers would otherwise have to pay if that project did not exist. Just looking at the price paid for that power is an incomplete picture and the idea that the value of local generation is more than just a kilowatt hour is not some hypothetical or a theoretical calculation. Thirty years ago, utilities began quantifying these benefits by looking at local generation as an alternative to the traditional ways to improve their infrastructure. And, in fact, in 1992, I created a for-utility program funded by the U.S. DOE where we examined these benefits. The utilities were in New Jersey and Pennsylvania. LD 1986 has pricing in it that hypothetically would be in the neighborhood of, say, 11-12 cents, of which three or four cents would be offsetting rate base elsewhere. So, 1986 is the best solution for correcting our problem of eliminating the subsidization while maintaining progress to our long-term goals. So, I urge everyone to vote to enact 1986. Thank you.

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Warren.

Representative **WARREN**: Thank you very much, Madam Speaker. I rise in opposition to the pending motion and just want to say briefly, again, I believe in climate change, I believe in electrification, I even believe in smaller-scale net energy billing as a program. This bill that is before us today makes some needed reforms going forward to the 30% still in the queue. But unfortunately, it is my belief today that we ought not support this pending motion because no Maine ratepayer ought to shoulder the costs of the staggering windfall profits that this program, when passed in 2019, allowed for as it fixed the rate of subsidy to fossil fuels. No one could have anticipated the inflation, COVID-19, the war in Ukraine. And, as a result, Maine ratepayers are forced to shoulder the burdens of this extremely generous subsidy, the most generous in the country. I think Maine ratepayers deserve better. I think it would be a false statement to say that this program in its current iteration at the astronomical subsidy, the windfall profit that we're being asked to support and continue to keep codified is a solution that is necessary to address climate change. It is not. I ask we consider alternate solutions that will be before us and oppose this motion today.

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

Representative **STROUT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. When I was working through my bill, I asked the Public Advocate's Office, talking about the expense to ratepayers, and I just wanted to share the data that I received; that from April 1, 2023 to May 16, 2023, there were a total of 72,424 CMP and 9,053 Versant customers who received disconnect notices. We know that as of July 1st,

these rates are going up already, so, I think it would be worthy of us to look at what best works for our ratepayers and try to make sure that we can work together for the solar, the clean energy, but also have the biggest impact on them. Thank you.

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

Representative **DUNPHY**: Thank you, Madam Speaker. Madam Speaker, this bill is very limited in what it does in terms of cutting costs and that's the reason that the bill should not have been introduced. It is a poor compromise to continue massive windfalls for a few constituents and a few contractors in Maine and burdens the majority of Maine ratepayers who are truly struggling to survive. This bill as written is a very, very small step in correcting a very large problem. So, I hope you follow our light and kill this. Thank you.

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

Representative **FOSTER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Let me be very clear. First of all, no bill that I know of that came out of Committee Ought to Pass is looking to eliminate rooftop solar or small community solar projects. These small companies would still have that opportunity.

Secondly, in regards to the ratepayers who are seeing benefits from net energy billing solar, they are relatively few compared to others, and let me explain. Years ago, some of us may remember when the aluminum siding salesmen were going house to house. Now, they might've seemed a bit unscrupulous and there's even been a movie made about them, but they did not tell people about the benefits and what they should invest in for siding on their house with the idea that their neighbors were going to help pay for that. That, Madam Speaker, is exactly what those promoting net energy billing solar, the large community projects, do when they go house to house. I had a young man come to my house. I was outside washing a vehicle. He didn't know me, I didn't know him, but he stopped by, said hello, I said what can I do for you, he says I just wanted to chat. I said well, what would you like to chat about? And he said well, I want to talk about the opportunity you may have to join a community solar project. Now, there is no solar farm anywhere near me. So, I said well, what would that be, and he said well, I can offer you an opportunity to save 15% on your electric bill. I said well, that sounds pretty good. My bill's been going up. Who pays for that? Madam Speaker, he told me; the utilities. Those bad utilities are going to pay for that. Well, by the time he left my driveway, I think he had a very good understanding that, in fact, if I join his program, my neighbors, including the recently widowed neighbor down the road that I offered to plow her driveway for free, who is now living on Social Security that her husband had left for her as her only means of buying her groceries, paying her bills, she would be paying for that as well. So, when we hear of the great benefit net energy billing is giving to those who join the programs, we must not forget who is paying for that and, besides that 15%, when we're talking 20-25 cents per kilowatt-hour for net energy power over the 4-5 cents that competitive bid solar is paying, we have to realize the bulk of what is left goes to the profiteers who are making the windfall profits from this form of solar power and the billing system that there is for it. It's not helping the ratepayers of Maine in general. That's why it is expected that it will cost \$220 million extra per year for 20 years to pay the extra funds for net energy billing.

Now, I will leave it with you, Madam Speaker, that whatever we do here in this Legislature, rooftop solar, backyard solar for those who can afford it, who want it, and also small community solar for the towns that want to join into that type of

program and have actual use of the power for some of their supply, that'll still be available. I ask that we vote down the enactment of this bill. Thank you, Madam Speaker.

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

Representative **GEIGER**: Thank you, Madam Speaker. I rise in support of the enactment of LD 1986. I think we need to look at where we are and how we got here. Maine citizens use oil for heat at the highest rate of anyone in the nation. Our ratepayers and our citizens have long suffered from very high utility rates because they use fossil fuels. The Chief Executive and her climate change strategies realized that in order for that to change, Maine citizens needed more electrification, help moving from heating oil to heat pumps, and that we needed more renewables. Every electron that comes from renewables is one electron less that we get from gas and from oil and from coal. This bill seeks to take back some of the windfall profits that a small number of solar projects have received because of unexpected increases in the price of fossil fuels and gas. We, the Legislature, chose to offer the solar industry an opportunity to jumpstart in Maine by tying their price to the price of gas. That was a mistake. We didn't realize that we would be followed by a once-in-a-lifetime pandemic or the war in Ukraine. Last Session, we rolled back that program and said no one else can join it. We went further than that and put tight time restrictions so that 70% of those who had entered into those possible projects were no longer able to do so. So, now we're down to 30%. This bill seeks to offer them some carrots to let go of that kind of profit but, in the meantime, it protects community solar, rooftop solar and other projects that add electrons from renewable energy. The only way our ratepayers and our low-income citizens get out of the mess we are in is to increase renewables and decrease our reliance on oil and gas. Those are the drivers of heating expenses; those are the drivers of our electrical rates now. Please vote for 1986. Thank you.

The SPEAKER: The Chair recognizes the Representative from Gorham, Representative Boyle.

Representative **BOYLE**: Thank you, Madam Speaker. This bill does provide relief, potentially, for ratepayers and there's language in it that directs the Governor's Energy Office to work with the PUC to apply for federal grants for funding that is in the Inflation Reduction Act at the federal level that will be billions of dollars nationally available. This bill has a provision that allows us as a State to apply for that money. And it could be hundreds of millions of dollars. The example given, a \$300 million grant could support a 20% bill discount for up to 115,000 low and moderate customers in Maine which would result in \$857 million in energy savings for customers at no additional cost to Maine ratepayers over the life of those projects. Thank you.

The SPEAKER: The Representative from Dexter, Representative Foster, having spoken twice requests unanimous consent to address the House for a third time. Hearing no objection, the Representative may proceed.

Representative **FOSTER**: Thank you, Madam Speaker. I apologize for rising again and thank you for the opportunity. First of all, I would only say that this bill indeed does allow the PUC to seek federal monies to expand solar. However, none of that money goes to reducing the cost of net energy billing. Secondly, this bill does not address the tie between the cost of fossil fuel generation or coal generation and net energy billing. This bill ignored that opportunity. Thank you, Madam Speaker.

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

Representative **UNDERWOOD**: Thank you, Madam Speaker. May I pose a question to the Chair, please?

The SPEAKER: The Member may proceed.

Representative **UNDERWOOD**: How does net energy billing interact with solar?

The SPEAKER: The Member has posed a question to anyone who can answer.

Seeing none, 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. 332

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Collings, Copeland, Craven, Dhalac, Dill, Dodge, Doudera, Fay, Gattine, Geiger, Golek, Graham, Hepler, Hobbs, Jauch, Kuhn, Lajoie, Landry, Lee, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Montell, Moonen, Murphy, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Williams, Zager, Zeigler, Madam Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carmichael, Cluchey, Costain, Crafts, Crockett, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Eaton, Faulkingham, Foster, Fredericks, Galletta, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, LaRochelle, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Milliken, Morris, Ness, Nutting, O'Connell, O'Neil, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Riseman, Sampson, Simmons, Smith, Soboleski, Strout, Swallow, Terry, Theriault, Thorne, Underwood, Walker, Warren, White J, Wood, Woodsome.

ABSENT - Adams, Andrews, Carlow, Collamore, Cray, Gere, Gifford, Gramlich, Hasenus, Kessler, Lookner, Moriarty, Newman, Osher, Parry, Rielly, Rudnicki, Schmursal-Burgess, White B, Worth.

Yes, 62; No, 69; Absent, 20; Vacant, 0; Excused, 0.

62 having voted in the affirmative and 69 voted in the negative, with 20 being absent, and accordingly the Bill **FAILED PASSAGE TO BE ENACTED**.

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

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Friday, June 23, 2023, 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 (9) **Ought to Pass as Amended by Committee Amendment "A" (S-388)** - Minority (4) **Ought Not to Pass** - Committee on **JUDICIARY** on Bill "An Act to Implement Certain Recommendations of the Commission to Examine Reestablishing Parole"

(S.P. 278) (L.D. 720)

- In Senate, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE**

ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-388).

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

PENDING - **ACCEPTANCE OF EITHER REPORT.**

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

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

Representative **MOONEN**: Thank you, Madam Speaker. Madam Speaker, Colleagues of the House, I just want to clarify that the title can be a little bit confusing because it does mention recommendations of the Commission to Examine Reestablishing Parole. Despite that title, this bill has nothing to do with parole. It's actually a different recommendation that came out of that Commission dealing with allowing some folks who have a prognosis that is likely to result in a terminal or severely incapacitating medical condition to be eligible for the supervised community confinement program and, specifically, hospice care through that program. So, I just wanted to clarify what this bill was about. Thank you, Madam Speaker.

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

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

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

Representative **CYRWAY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I was on the Commission and one thing that came up and we had Judge Stokes and we had several DAs and attorneys and the big part that came up that wasn't listened to was the victims, the victims that had to be heard when any parole hearing comes up. And I don't know if this includes that but there's concern for some of the victims. In fact, we heard from one of the former Representatives that we had here that actually, him and his daughter had a home invasion and they used a machete on them. His daughter would move out of this State if that person got paroled. And there are situations I know of people that are maybe not well or that would qualify for this and one I know of that was released and then ended up killing two more people. So, I'd have big concerns about this bill being passed. I think that it would need to be more deliberation and knowing exactly what will take place in order for them to be released. So, thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Hampden, Representative Haggan.

Representative **HAGGAN**: Thank you, Madam Speaker. This bill does address the terminal and severely incapacitated. With Commissioner approval, a person that has this terrible condition can be sent to hospitals or residential care facilities that are licensed to do hospice. The problem that I have with this bill is when I was in high school, I had a friend who was murdered and her family never got over it, they are just destroyed to this day, and that's a long time ago. I do have friends who have had other loved ones murdered. I feel like the part of this amended version also says that with Commissioner approval, the person who did these deeds may live at home. And I know that some people have had terminal illness and lasted a long time. In my opinion, I would hope that we would not do that and it would be hurtful to the families, I think, or victims of the loved ones. So, please vote no on this motion.

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

Representative **RECKITT**: Madam Speaker, I was not involved in the debate on this issue this year but I did spend six years on the Criminal Justice Committee where we talked a lot about the very issues that have been brought up here. My belief, however, having visited the hospice section of the prison at Warren and seen in that part, those who are dying in the prison. I mean, I think that there is a place for mercy in one's life, not for the deed that was done but for the end of life. And I truly believe that the Commissioner and any subsequent responsible Commissioner is not going to let anybody into supervised community confinement that is not absolutely supervised and confined. And I think that the point is that it's really a little barbaric. I mean, I think of my father, when he was in hospice care, and he was in hospice care at home and there's no way he could've moved three feet out of that house, he just lay there and died. And that's what's happening in the prisons, and not constantly but periodically. And I, myself, think that we could do better than that as human beings, no matter the deed that was abhorrent. I've had relatives also killed and I think there's just something about this that feels secure to me. Maybe it's because I've seen what goes on in the prison, I trust the Commissioner of Corrections to make decisions that are reasonable, and hopefully his or her successor will do that as well. So, I urge you to vote in favor of this bill. Thank you.

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

Representative **POIRIER**: Thank you, Madam Speaker. Madam Speaker, I just wanted to rise real quick because it seems as though this amended version is based off of programs similar in California but there's one very important missing element. In this Amendment, the sole decision is based on the Commissioner and their approval. In California, it actually has to take another step and go through the courts, which I think is very important because you can have outside assessments and things of that nature to find out if a person could, indeed, commit another crime or is likely to. And as far as the Good Representative talking about barbaric, I mean, I think we need to look at why is that person a prisoner in the first place. If we have taken that comfort away from families and many other people and we have to look at what our justice system is and if it's going to be a pass because you're sick or if you're indeed going to, you know, go through with the sentence.

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. 333

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

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carmichael, Costain, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Landry, Lanigan,

Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Nutting, O'Connell, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Sampson, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Adams, Andrews, Carlow, Collamore, Cray, Gere, Gifford, Gramlich, Kessler, Moriarty, Newman, Osher, Parry, Rielly, Rudnicki, Schmersal-Burgess, White B, Worth.

Yes, 73; No, 60; Absent, 18; Vacant, 0; Excused, 0.

73 having voted in the affirmative and 60 voted in the negative, with 18 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (S-388) was READ** by the Clerk.

Representative MOONEN of Portland **PRESENTED House Amendment "A" (H-715) to Committee Amendment "A" (S-388)**, which was **READ** by the Clerk.

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

Representative **MOONEN**: Thank you, Madam Speaker, Colleagues of the House. This Amendment is very simple. It just requires the Department of Corrections to collect and publish information about participation in this program on their website and I want to thank the Department for their collaboration on this and ask you to support it. Thank you, Madam Speaker.

Subsequently, **House Amendment "A" (H-715) to Committee Amendment "A" (S-388) was ADOPTED.**

Committee Amendment "A" (S-388) as Amended by House Amendment "A" (H-715) 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" (S-388) as Amended by House Amendment "A" (H-715) thereto in NON-CONCURRENCE** and sent for concurrence.

SENATE DIVIDED REPORT - Report "A" (6) **Ought Not to Pass** - Report "B" (5) **Ought to Pass as Amended by Committee Amendment "A" (S-411)** - Report "C" (1) **Ought to Pass as Amended by Committee Amendment "B" (S-412)** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act to Support Reentry and Reintegration into the Community"

(S.P. 82) (L.D. 178)

- In Senate, Reports **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **JUDICIARY.**

TABLED - June 23, 2023 (Till Later Today) by Representative SALISBURY of Westbrook.

PENDING - **ACCEPTANCE OF ANY REPORT.**

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

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

Representative **LOOKNER**: Thank you, Madam Speaker. I just wish to speak on this motion. I believe in redemption, I believe in second chances, and I know that there are residents of the Maine State Prison who don't need to be there. There are people in prison who have served their time, have paid their debt to society. I believe in the redemptive power of the work that

they've done in there and they're doing society, the State, they're not doing anybody any good by languishing in prison.

Parole is not a radical proposal. Thirty-four other states have some system of parole where there are checks and balances put in place to make sure that public safety is preserved while ensuring that people who no longer have to be in prison don't have to stay there. The United States over-relies on incarceration to cover all the areas that we are not providing. We are failing on mental health, we are failing on housing, we are failing on education and people who fall through the cracks; we over-rely on incarceration for those folks who the other systems are failing. They can't rely on their families, they can't rely on their communities and they end up in prison. And we have no means of reform, of providing hope to people who are incarcerated to get out of that situation when they have done their time, they've paid their dues and have demonstrated that they are fit to be back in the community.

I visited the Maine State Prison, I went to what's called the B Pod, it used to be a unit that was reserved for residents who were in close confinement or what some might call solitary confinement, but now it's being used by long-term residents who have essentially full autonomy within the Maine State Prison. These are guys who committed a crime in their late teens or early 20s who have been there for 30, 40, 50 years, they're now in their, you know, 50s, 60s and 70s, who are not the same people. And I believe that they deserve a second chance, you know, and they're just being held there because of what I would call our overly-punitive and vindictive approach to corrections.

So, I hope in the future that our State can look at this very rational proposal and come up with a solution that we can all work together to create a more just Maine, one that recognizes that people do get better, that redemption is possible, and that's what I believe. So, thank you for letting me speak to the motion.

Subsequently, Report "A" **Ought Not to Pass** was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

HOUSE DIVIDED REPORT - Report "A" (7) **Ought to Pass as Amended by Committee Amendment "A" (H-596)** - Report "B" (4) **Ought Not to Pass** - Report "C" (1) **Ought to Pass as Amended by Committee Amendment "B" (H-597)** - Report "D" (1) **Ought to Pass as Amended by Committee Amendment "C" (H-598)** - Committee on **JUDICIARY** on Bill "An Act to Increase Access to Necessary Medical Care for Certain Minors"

(H.P. 340) (L.D. 535)

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

PENDING - **ACCEPTANCE OF ANY REPORT.**

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

Representative POIRIER of Skowhegan **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 Palermo, Representative Smith.

Representative **SMITH:** Thank you, Madam Speaker. Madam Speaker and Members of the House, LD 535 is one of the most dangerous bills to come before our legislative Body this year. This bill will have consequences for generations to come and I implore you not to support this bill.

These are the facts. A boy is a boy and a girl is a girl. God does not make mistakes. Gender dysphoria is a mental health epidemic. Gender transitioning is destroying the very concept of women, attempting to erase us. Gender transitioning is destroying our future as it destroys the fertility of our young people. People who have attempted to become another sex still want to kill themselves. Hormone replacement therapy is preying on children. A child should never be told they are not good enough in the body they are born with. Children should never be allowed to have prescriptions that change their hormonal structure of their bodies which have physical consequences that cannot even comprehend, especially when their parents' objections are being overridden. Sixteen-year-olds are still very much children. Doctors, lawmakers and social service agencies will find themselves liable for this path of human destruction.

Madam Speaker, we are on a course to devastate a generation of children with bills such as the one before us. We isolated our children and stuck them in their homes with nothing but social media to be their friend for two years and we set up a perfect firestorm to create a spike in children seeking approval, acceptance and acknowledgment of their loneliness, fear and pain. A survey by the Centers for Disease Control and Prevention that was published in early February 2023 found that in 2021, 50% of high school girls reported experiencing persistent feelings of sadness or hopelessness in the past year, up from 36% in 2011. That's nearly twice as high as the 29% of males who reported having those feelings in 2021. What's worse, 30% of the girls surveyed reported seriously considering suicide and 13% attempted suicide one or more times in 2021. Our children are in crisis and now we, the adults, write legislation to coddle and codify their trauma, parental abuse and poor mental health. We encourage behaviors we know to be unhealthy, untrue and catastrophic to their lives. We must stop this and we must stop it now.

The *British Medical Journal*, one of the foremost scientific publications in the world, concluded puberty blockers are being used in the context of profound scientific ignorance. Treatment for under-18 gender dysphoric children and adolescents remains largely experimental. There are a large number of unanswered questions that include the age at start, reversibility, adverse events, long-term effects on mental health, quality of life, bone mineral density, osteoporosis in later life and cognition. The current evidence base does not support informed decision-making and safe practice in children. And now, the UK and many other European states have completely banned puberty blockers in their country for children under 18. The science is there to support this. This bill is not science.

Madam Speaker, I know there are people who will hear everything I have said today and will call me a hater and so many other names, but I will tell you this; love does not affirm lies. I must leave on this last fact. Planned Parenthood is now the number-two provider of hormone replacement therapy in the country, making millions upon millions of dollars off of the belief that people can be born in the wrong body and, as the Good Representative from Auburn said on Thursday, Planned Parenthood seems to indeed be running the State House. Follow my light and vote no on this bill.

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

Representative **MILLIKEN:** Thank you, Madam Speaker. I rise in support of the pending motion. I rise in support of my numerous loved ones and friends who are trans and who have been that way since before their 16th birthdays. I rise as a teacher who knows and trusts teenagers to make decisions

about their own bodies and I rise as a mother who hoped that my children will access medically-necessary care with or without my knowledge if they feel that they cannot come to me safely to discuss that care. Please follow my light in supporting the passage of this very important legislation. Thank you, Madam Speaker.

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

Representative **LANIGAN**: Thank you, Madam Speaker. I would love to support this motion as I really do not feel that this is a negative thing, a problem, I have no issue with this community or individuals who feel that they are not representing themselves fully. The things that I have a problem with, though, in this bill is if I, Madam Speaker, wanted to go get a gastric bypass surgery, I need a full psych evaluation from a medical professional before I can enter into that. Nowhere in this bill is there any reference to that. There's mention to mentioning the side effects psychologically but there's nothing in here requiring it. I have a little problem with a 16-year-old being able to make this dramatic of a change to their body; however, they can't buy a movie ticket to a rated R movie without their parent's permission. I just feel this is another bill that we're just going too far on, where we're taking the rights of parents away. Now, there's nothing in here saying if someone is emancipated from their parents and they want to perform this surgery, they can do that. That would be a different discussion, Madam Speaker. I just feel this bill is very hastily written, it doesn't cover all the bases, and it really puts parents, again, behind the power of a 16-year-old who; I don't know if any of you have any 16-year-olds in here, but they don't really make great decisions all the time. We have a big saying in our houses; I just ask you only to make the mistake once. Twice, you know, there's probably going to be some trouble behind it. With this sort of decision, this is pretty dramatic. This is going to change their life. This could do some real damage to them. In working with youth and in seeing, you know, girls that I coached that played boys' sports and, you know, did things and as they've grown and come into themselves, they're still girls.

I just, personally and talking to a lot of people, feel this is just going way too far, it's a slippery slope, it's giving too much power to minors who don't even have the ability to go out to get their own; I mean, they can't even go to the drug store themselves. So, I just ask that we maybe take a pause on this. If you do want to do something like this for our youth, I just feel that this bill is not the way to go about it. And, again, it's nothing against the trans community, I am 100% supportive of what people want to do. I'm a big believer in choice. So, I am not saying this from any ill-hearted way, no other belief, it's really from the minor standpoint. So, I ask my colleagues just to consider my words today and thank you, Madam Speaker, for allowing me to stand.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Malon.

Representative **MALON**: Thank you, Madam Speaker. I absolutely intended to speak today and I do so because I'm a parent. As a dad to two amazing kids, few things impact me at a gut level more than questions which could impact their health and well-being. After two somewhat challenging births, my youngest daughter's brief stint in the NICU, the same daughter's hospitalization due to an asthma attack and every time, my stomach clenches when there is a doctor's appointment. Since becoming a parent, I have internalized fear and anxiety more than I ever have in my life. It's my concerns about what kind of world lay ahead for my daughters which led me to run for the Legislature in the first place.

Everyone in this room wants our kids to be happy, healthy and safe. But for some kids, a small number of kids, home is not happy, healthy or safe. That is why I co-sponsored this bill and support the pending motion. Gender dysphoria is a real medical condition with specific treatments determined by every major medical association under specific professional standards. Indeed, as the Maine Chapter of the American Academy of Pediatrics noted, quote; gender dysphoria is a well-recognized medical diagnosis with an established and effective treatment. One aspect of treatment is social affirmation, the other is gender-affirming hormone therapy; end-quote. Gender-affirming hormone therapy is a lifesaver for teenagers experiencing this condition and denying care can be dangerous. This bill would enable 16- and 17-year-olds, who are old enough to provide informed consent, the ability to seek this type of care without parental consent if it is determined to be the best course of action by a qualified medical professional.

I could talk about the things this bill is not, including false claims about surgery and other things that sound scary, but ultimately, others can speak to that with far greater expertise than I can. What I can talk about is being a dad who wants my children to be able to live their lives to their fullest as their true selves. And, as such, if either of my kids were to come to me and say they are struggling with their gender identity or that they know they are transgender, my response would be the easiest answer to any question I have ever given in my life. I love you and I support you. You see, my wife and I strive to make sure our home is a safe place and I know we won't get everything right but, man, we are trying. It breaks my heart when I hear examples of a child not being safe at home. This is why a measure like this is needed. In the absence of parental support, it will help keep these young people with their health and keep them alive. And keeping them alive also keeps alive the hope that whatever fissure existed at home can be repaired. To all of those who are struggling with gender dysphoria and all trans Mainers, please know that you are loved and supported. I urge my colleagues to support the pending motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Biddeford, Representative Sheehan.

Representative **SHEEHAN**: Thank you, Madam Speaker. Madam Speaker, dear friends and colleagues, I rise in support of the pending motion. LD 535 seeks to protect an extremely narrow class of minors who have been diagnosed with gender dysphoria. If passed, this proposal would allow a sliver of a tiny proportion of 16- and 17-year-olds who have been diagnosed with and are experiencing serious harm due to gender dysphoria and who are competent to consent to receiving gender-affirming hormone therapy in cases where their parents will not support their treatment.

Madam Speaker, this bill does not even address, much less allow any form of gender-affirming surgery, so, let's be sure to not even go there again. Gender dysphoria is defined in the WPATH standards of care as, quote; discomfort or distress that is caused by a discrepancy between a person's gender identity and that person's sex assigned at birth. Between 0.5 and 1.5% of the population in the U.S. is transgender and not all of those people experience gender dysphoria. This is a tiny sliver of our population but for those who do, dysphoria symptoms can worsen dramatically as puberty causes their appearance to deviate sharply from their experience of who they are. Puberty can be a confusing and uncomfortable time for many kids but for trans kids diagnosed with dysphoria, it can be unbearable. Endogenous puberty changes patients' bodies in ways that are truly irreversible. Persistent gender dysphoria causes shame, depression, self-harm, isolation, suicidal ideation and even

attempts, seriously harming adolescents and even adults. For these kids, gender-affirming hormone therapy is a proven treatment to alleviate these symptoms. It includes interventions to suppress puberty, which temporarily and reversibly pauses puberty so they can work with their parents and a team of endocrine and behavioral health and pediatric specialists on a plan to support their healthy development into adulthood. If needed, treatment may later include cross-sex hormones to better align a patient's appearance with their gender identity but this is not always needed. If this is part of a plan, follow-up and monitoring is robust to allow for adjustment and course reversal if needed. Even cross-sex hormones' effects are reversible until approximately the six-month mark. Like many effective therapies, hormone therapies are not without risk, but for those diagnosed their benefits are proven and they outweigh the risks.

Politically-motivated groups have been spreading disinformation that these therapies are experimental and that European countries are banning them but there are no bans in any European countries. In fact, medical authorities there are working hard to put in the kinds of guidelines and guardrails that we have here that make the treatments more appropriate and safer. Recent federal appeals court decisions have partially or fully struck down minor gender-affirming care bans in Florida, Arkansas and Indiana because they found claims based on this disinformation specious. And, to be clear, Madam Speaker, these are not woke judges. All of the major medical organizations agree and here in Maine, the American Academy of Pediatricians, the National Association of Social Workers and the Maine Medical Association have testified in unequivocal support of this bill.

Parental engagement is the gold standard as parents know their children best and love them unconditionally. Unfortunately, because these treatments and transgender existence itself is so widely stigmatized in the press, on social media and even by community leaders in the halls of government, some parents are understandably afraid, unable or unwilling to entertain the possibility that their child needs these treatments to thrive. These cases are rare, Madam Speaker. The vast majority of parents would do anything and do, in fact, do everything they can to ensure that their child thrives. But I believe it's important to ensure that our most vulnerable young people, those whose parents are unable for whatever reason to support their treatment, have a pathway to effective care before their development proceeds and they're faced with a life of more invasive, riskier, more painful and more expensive treatments to relieve their dysphoria.

This bill puts in place robust guardrails to ensure that only doctors, osteopaths and advanced practice registered nurses qualified by training and experience to provide and monitor the provision of this kind of care can do so. Furthermore, it ensures that only 16- and 17-year-old minors who have been diagnosed properly by a multidisciplinary team of providers are suffering harm or will suffer harm without treatment will even be considered. The minor must inform the health professional that their parents have refused to support hormonal treatment, the medical professional must provide extensive counseling, which is actually detailed in the bill, and information so that the minor knows that the counseling is not intended to persuade them to undergo this treatment, to clarify that the minor may withdraw their consent at any time, detailing fully the alternatives for managing dysphoria, explaining short- and long-term effects including benefits, risks and consequences of this kind of therapy, as well as follow-up and information about how, if necessary, to discontinue the therapy. They even need to discuss the possibility of involving the minor's parents or

guardians in this decision-making and provide adequate opportunity for the minor to ask questions. Finally, the medical professionals must certify the patient mentally and physically competent to consent to this care. Under the provision of this bill, the health care team retains significant discretion. If, in their opinion, a minor will not experience harm if care isn't provided or if they do not believe a minor mentally or physically capable to consent, they must decline to provide that care. This provision does not apply to providers to endorse or provide gender-affirming hormone therapy and it does not make it possible for minors who do not absolutely need it to receive it.

Madam Speaker, the vast majority of Maine parents are willing, in the face of very understandable fears and doubts, to engage with their child and with health care professionals to provide this kind of care if it proves necessary. Sadly, this care is so highly stigmatized that a minority of kids who really need this care may never be supported by their parents. In Maine, we recognize that in some cases, mature minors should be allowed to make some decisions for their own care, especially when disclosure of the care could put them at risk or if delay in that care could cause them irreversible harm. I think kids deserve to live free from the pain that a lot of kids my age had to endure. Some of my friends suffered needlessly for decades. Others my age did not even survive. Because of the stigma, the few kids who would be helped by this bill are not only at risk of being denied care but are at risk of being kicked out of their homes. Transgender youth experience homelessness at rates that far exceed the general population.

In the Judiciary Committee on another sweeping bill proposing to repeal all of the laws that allow minors to consent to certain medical care, we were exhorted by a supporting testifier not to make laws based on theoretical outliers. You could've knocked me over with a feather when I heard this testimony refer to child victims of abuse and neglect as theoretical outliers. They may be outliers, Madam Speaker, but we know that they are very real. From the alarming rates of trans youth homelessness, we know that not all of them are safe and welcome in their homes. Please support this bill and make it possible for a small number of young people to receive the care they need to lead healthy, happy and productive lives.

The SPEAKER: The Chair recognizes the Representative from Livermore Falls, Representative Lyman.

Representative **LYMAN**: Thank you, Madam Speaker, and Members of the House. You know, this really comes down to the being about parental rights of minors. Our parental rights must be honored, respected and upheld, period. One Representative mentioned how he may deal with it when he faced his children, how I may deal with it when I face my children, that is what we're entitled to. It is not the government's job to address and make laws about gender dysphoria. How one parental unit determines their approach to addressing the needs of their minor is based on their choices and resources they choose. What I might choose may be different than somebody else but that's what comes down to a family unit. No one in this Body has the right to impose safety standards on a family facing the upbringing of their children and their minors. I have heard conversations about how a home is determined to be unsafe if a child, a minor, isn't allowed, according to somebody, to transgender. Well, that's a whole lot of imposition on any particular family and our rights as parents need to be protected. We have the right to raise our children and face whatever struggles every family faces according to what we choose. Nobody in this building as a government entity has the right to impose that. Thank you.

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

Representative **CYRWAY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. About 15 years ago or so, the government got involved and had the Attorney General's office go to the schools and had an Assistant Attorney General go around and hand out information to children that was in the third, fourth grade. And it sent an uproar because the lady was from Brooklyn, New York that did it and there was like four or five hundred people went to one school, made national news because of giving case law about sexual stuff and the kids was all excited about it and they were reciting all the bad words --

Representative **ROBERTS**: Point of Order.

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

Representative **ROBERTS**: Thank you, Madam Speaker. The Members comments are not germane to the bill.

On **POINT OF ORDER**, Representative ROBERTS of South Berwick asked the Chair if the remarks of Representative CYRWAY of Albion were germane to the pending question.

The SPEAKER: The Chair would remind the Member to limit his remarks to the actual motion and this bill.

The Chair reminded Representative CYRWAY of Albion to stay as close as possible to the pending question.

Representative **CYRWAY**: Thank you, Madam Speaker. This was germane to the bill only because I was saying government involvement sometimes oversteps and sometimes they don't realize it, unintended. And, in this case, this is overstepping. I've experienced it with my granddaughter and a few other grandchildren; where they're nervous about after having a class or any information of other genders, now the kids are reacting and they're reacting immediately after those informative times. And so, they are actually pushing themselves onto other kids in a different fashion than they normally would've. And it seems that it's causing problems in the school, they're worried how they talk to these children, how they work with them, where it wasn't a problem before. So, and I think we have to be very careful on how this progresses, because I do believe that parents had it right. You know, if you had a situation, the parents handle it, whatever, and if there's a real situation, the school handled it in a situation where they talked to the person, got them the counseling they needed and whatever. But now we're making it more than that. We're involving the government to come in and expand it and that's what I'm concerned about and that's why I could not be in favor this bill. Thank you, Madam Speaker.

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

Representative **WHITE**: Good afternoon, Madam Speaker. I just want to point out that the remedy for 16-year-olds living in an unsafe home has historically been emancipation. We have had this in place for quite some time and if the child is in danger at home, they can go through the emancipation process and become their own person and make these decisions right now in our State. There is a remedy for this and we don't need another law. 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. 334

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine,

Geiger, Golek, Graham, Hasenfus, Hepler, Hobbs, Jauch, Kuhn, Lajoie, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett H, Millett R, Milliken, Montell, Moonen, Murphy, O'Neil, Paulhus, Perry A, Perry J, Pluecker, Pringle, Rana, Reckitt, Riseman, Roberts, Roeder, Runte, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Warren, Williams, Zager, Zeigler, Madam Speaker.

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

ABSENT - Adams, Andrews, Carlow, Collamore, Cray, Gifford, Gramlich, Kessler, Moriarty, Osher, Parry, Rielly, Rudnicki, Russell, Sachs, Schmursal-Burgess, White B, Worth.

Yes, 73; No, 60; Absent, 18; Vacant, 0; Excused, 0.

73 having voted in the affirmative and 60 voted in the negative, with 18 being absent, and accordingly Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-596)** 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-596)** and sent for concurrence.

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

HOUSE DIVIDED REPORT - Report "A" (6) **Ought to Pass as Amended by Committee Amendment "A" (H-623)** - Report "B" (6) **Ought Not to Pass** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act Regarding Criminal Background Checks for the Sale, Transfer or Exchange of Firearms"

(H.P. 109) (L.D. 168)

TABLED - June 21, 2023 (Till Later Today) by Representative TERRY of Gorham.

PENDING - Motion of Representative SALISBURY of Westbrook to **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 Monticello, Representative Ardell.

Representative **ARDELL**: Thank you, Madam Speaker, and thank you, Colleagues of the House. Allow me an analogy. A bill is passed into law that requires Mainers to go to a law enforcement office for a background check to verify that that person is not on probation in order to get permission to exercise that person's right to travel outside the State. Or a law that

parents attending a student ballgame or dance recital must take a background check to ensure they are not on a sexual offender list. Who would comply with that law? Well, only the law abiding, of course. Those Mainers on probation whose travel was limited because of a criminal conviction who intended to travel would go anyway and would never subject themselves to a background check they know they would not pass. Similarly, those parents wishing to attend their child's ballgame or band concert would comply but a registered sex offender would not.

Returning to LD 168, this bill would levy a similar burden in that it would require Mainers to ask permission to exercise their right to arms. A burden of a background check that only those who know they would pass would subject themselves to. This bill also interfaces squarely with our constituents' civil right. You may hear in this Chamber a statement that a U.S. Supreme Court Justice said the right to arms is not unlimited, which is true. However, in the interim, and more recently, U.S. Supreme Court ruled the right to arms is limited to only restrictions made by the text of the Amendment and the history and tradition at the time of the framing, 1791. Even were we to apply 1868's adoption of the 14th Amendment, which applied the Bill of Rights against the states, there would still be no analogous restriction in our early nation's history. Additionally, the gun control policies of many U.S. states at that time were designed to disarm recently freed slaves, not a policy we would be wise to follow in this Body.

I thoughtfully ask this Body to consider that if we want to force our constituents, Mainers, to ask permission to exercise our right to lawful self-defense in a way that would only burden the law-abiding and make no provision to affect crime or those who are prohibited from arms. In the spirit of freedom, I ask this Body to vote with me in opposing this motion and I thank you for your indulgence.

The SPEAKER: The Chair recognizes the Representative from Camden, Representative Doudera.

Representative **DOUDERA**: Thank you, Madam Speaker. Ladies and Gentlemen of the House and Madam Speaker, Maine Law contains a dangerous loophole. If you buy a gun from a licensed gun dealer in a gun store, a store that sells guns, maybe like L.L. Bean or Cabela's or your local gun dealer, you must undergo a background check as required by federal law to ensure that you are legally able to possess a gun. If, however, you buy a gun at one of the dozens of gun shows that take place around Maine every year, no background check is required. And if you purchase a gun from responding to an advertisement in something like Uncle Henry's, you also don't need a background check. Federal legislation passed in 2022 does not address this loophole. This means that every year, thousands of guns are sold in Maine without a background check, which means, in turn, every year guns are sold in Maine to those legally prohibited from purchasing them; convicted felons, those convicted of crimes of domestic abuse, violence and those who have been involuntarily committed to a mental health facility.

Madam Speaker, our failure to do background checks contributes to gun-related tragedies around this State. Domestic violence deaths as well as a robust guns-for-drug trade exists where narcotics, opioids, fentanyl and other illegal substances are trafficked into this State and traded for guns, or those traffickers easily purchase guns in the State with no background check and with no questions asked. And our failure to do background checks contributes to gun-related tragedies in other states as well. Because firearms are so plentiful and easy to obtain in Maine, Maine is a significant contributor to the flow of illegal guns in states with tougher laws, to major northeastern states like New York, Boston, Philadelphia. These guns are

then sold on the streets in illegal transactions and contribute to gun violence and homicides in those cities.

This loophole makes it easy to buy a gun if you're a person prohibited from having one and this is what we need to change. Madam Speaker, in 2016, a referendum that would have closed the loophole did not pass, primarily due to the view that the exceptions in the bill for transfers between families and hunting groups was not broad enough. That was seven years ago and this law is different. This only applies to sales. It does not cover lending a gun to a family member or a neighbor or giving one as a gift. A violation is not a crime, it is only a civil fine. This treats most private sales the same way as sales by a licensed firearm dealer. Madam Speaker, background checks reduce gun violence and a recent survey taken earlier this month shows that Mainers want stronger precautions. When we talk about common-sense provisions, this is what we're talking about. Passing something that will really make a difference. A law that will keep guns out of the wrong hands and save lives. I urge you, my colleagues, and Madam Speaker, to vote yes to close this loophole. Thank you.

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

Representative **PERKINS**: Thank you, Madam Speaker, friends and colleagues in the House. LD 168 would result in further regulation of only law-abiding Maine citizens while having no impact on public safety, violent crime or gun deaths. Multiple studies on the implementation of universal background checks in California and Indiana, two of the only 14 states which have such laws and the two most studied, show that such laws have no impact on their violent crime or firearm homicide rates alone. On the oft-cited Gun Policy of America website, containing studies and data from the RAND policy thinktank, are studies that show and their summaries explicitly state that the majority of people who buy firearms already own firearms and therefore; and I'm quoting, Madam Speaker; background checks likely have little to no value. According to their research, even in jurisdictions with universal background checks, criminals who do not follow the laws anyway or typically fail to qualify to pass a background check would not subject themselves to such background checks and would continue to acquire firearms through illicit means. Additionally, in the research literature, it clearly states that universal background checks have inconclusive outcomes for either mass shooting incidents or suicides and any possible slight increase to the impact of violent crime existed only when coupled with permit to own policies or other universal registration policies.

Madam Speaker, the people of Maine do not want universal background checks and they definitely would not want them when coupled with universal registration. How can we be sure of this, Madam Speaker? It's because they told us in a people's referendum, when they soundly defeated universal background checks. The people told us this even when the papers and the polls at the time told us that over 80% of Maine voters wanted it. These are the same numbers that are being told to us now by the same polls and the same papers and the proponents of the bill. Madam Speaker, I am tired of ignoring the voters and we do not need to subject them to more unneeded and inefficient regulation that goes against the will of our voters. Thank you.

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

Representative **WHITE**: Good afternoon once again, Madam Speaker. As you and all my colleagues know, I've been in the firearms business for over 30 years. I was buying and selling firearms before the Brady Law came into effect and the

background check system was implemented and throughout the stages of it. And there's a few things that were stated here today that I want to clarify.

Gun shows are not a loophole around background checks. Every gun show that is organized in Maine, it is mandatory for people set up selling firearms at these gun shows to do background checks just as if they were back in their shop. Anyone conducting business in the firearms industry is subject to doing a background check on every firearm sold unless it's to another licensed individual. And then the system of making sure the license is valid comes into play, which is a background check in itself where you would go on to the ATF's website and verify that that license is valid.

The other thing that was stated here today was that firearms are somehow purchased legally in Maine and then sold illegally in another state, primarily handguns. If you buy a firearm with the intent to, especially a handgun, move it out of State or to a state where that firearm is prohibited, you are already committing a crime. If it is going to be sold on an illegal black market in another state, why wouldn't it be purchased on a black market wherever it's going to be purchased. I balk at the idea that firearms from Maine are somehow funneled into this. Like I said, I've been in business for over 30 years; 33 years, to be exact, and the firearms I've sold haven't miraculously turned up in New York City or Chicago.

The act of going into a gun dealer and doing this transaction is going to be an unnecessary burden on the dealers. The dealers would have choice of whether or not they were to do this and, if you want to talk about a loophole, we allow in this bill for people to lend a firearm. So, if I lend a firearm to someone or; I wouldn't, because I'm a dealer, but if some person lends a firearm to their friend and they keep it for a couple of years and then come back and say gee, I really like that, I shot my first deer with it, I'd like to buy that. Well, then they have to go to my shop to verify that the person possessing the firearm isn't somehow prohibited. That just makes no sense that we can lend a firearm without doing a background check, however, we need to then go do a background check to make the transaction official.

There's an undue burden on the dealer because if someone comes in to do a background check, the first thing that has to happen is the firearm has to become in the possession of the gun shop. So, Madam Speaker, if you bring a firearm to me to sell to someone, I first have to accept it into my inventory and log it in and then do the background check on the other individual. If that individual gets delayed, now I have a firearm that I have to maintain for such time as the delay process goes. We know that there's a three-day possibility for delay but the way the federal government works, that sometimes stretches out to as many as 29 days. So, I would have to keep that firearm safe and be liable for it for a month. If at that point the person was denied, you would have to do a background check. Now, if you get delayed to get your own firearm back, that might be another 29 days. So, I have this firearm in my possession for two months before I can give it back to the rightful owner. So, there's a huge can of worms that gets opened up with this bill and, you know, especially talking about loopholes, the idea that I can lend a firearm for an indefinite amount of time before doing a background check, yet I can't sell the firearm to my neighbor that I've known for many years without doing a background check, just makes no sense. This bill is really an undue, unnecessary burden, it doesn't fix any problems and like my colleague from Dover-Foxcroft mentioned, the people rejected this very idea in 2016. Thank you, Madam Speaker.

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

Representative **SALISBURY**: Thank you, Madam Speaker. Madam Speaker, the gun bills that we heard this Session in Criminal Justice and Public Safety, my feeling was they were a desperate attempt to try to do something to stem the tide of the countless people that have died across the country from gun deaths. And while it has been mentioned that that has not quite reached Maine, since our hearing, we have lost a number of people to some senseless deaths, including in my town of Westbrook most recently. And we couldn't come to a consensus about what both sides agreed would be the answer. This bill here was one attempt to try to deal with that. This bill was aimed at trying to deal with people that are buying guns off Uncle Henry's, off Facebook Marketplace, off their neighbors, buying these guns without any sort of checks and balances. And, again, as mentioned by my colleagues, law-abiding citizens; if I was a prohibited person, that would be the exact place that I would go to, knowing that I wouldn't have to get a background check. These bills are an attempt to try to do something because it feels like at times that we haven't been able to accomplish anything, although we, again, we disagree on what needs to be accomplished. Again, going back to the idea of law-abiding citizens, I think, again, this bill is aimed at people who are not law-abiding citizens trying to find a way to purchase weapons. Thank you.

The SPEAKER: The Chair recognizes the Representative from Hampden, Representative Haggan.

Representative **HAGGAN**: Thank you, Madam Speaker. Just a clarification. You cannot buy a firearm on Facebook Marketplace. That is in error. You cannot buy a firearm.

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

Representative **RECKITT**: I'm very glad that I got back in here in time for the debate on this bill. As most of you have heard me say, I spent six years on Criminal Justice, so, I've listened to this issue a lot over time. And I also have spent the bulk of my life before I got here working in the victim end of criminal justice system and I have watched guns appear in families without background checks to dangerous and sometimes deadly consequences.

I know that this was passed some time back, went out to citizen referendum, I know that it lost by not much. And I think that were we to pass this, and I hope we do, if it does indeed end up in a citizen referendum again, I have no doubt that we will win this time because the situation in this country, in this world, and guns has gotten so out of control that if we don't in this Body do something substantive. I admit I live in what is characterized as a very liberal district but I don't think it's just that. I think it's people who are your basic; don't tell my constituents I said this; run-of-the-mill Mainers who are in my district of all ilks who feel strongly that we must do something and this is one of the things that they are in favor of doing and I hope we can once again put this matter, hopefully, to rest by passing this bill.

I know it's difficult for some of you to vote on this, some of you to vote against it, but I think it's important that we have given this consideration again and I cannot see the downside to this. A little inconvenience, maybe, but it's better to have a little inconvenience than to have more dead people who ought not to be dead. And so, I thank you for your careful consideration and I hope you vote with me in favor of this bill. Thank you very much.

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

Representative **ROBERTS**: Thank you, Madam Speaker. Just a point of clarification as the mother of three adult sons. Yes, Facebook does not permit selling of firearms but the loophole is, and if you go on right now and you search for gun case and you look at the price, it's for the case and the weapon. 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. 335

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

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carmichael, Costain, Cyrway, Davis, Dill, Drinkwater, Ducharme, Dunphy, Faulkingham, Fay, Foster, Fredericks, Galletta, Greenwood, Griffin, Guerrette, Haggan, Hall, Hasenfus, Henderson, Hepler, Hymes, Jackson, Javner, Lajoie, Landry, Lanigan, Lavigne, Lee, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Russell, Sampson, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Adams, Andrews, Carlow, Collamore, Cray, Gifford, Gramlich, Kessler, Moriarty, Parry, Rielly, Rudnicki, White B, Worth.

Yes, 69; No, 68; Absent, 14; Vacant, 0; Excused, 0.

69 having voted in the affirmative and 68 voted in the negative, with 14 being absent, and accordingly Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-623)** was **READ** by the Clerk.

Representative **SALISBURY** of Westbrook **PRESENTED House Amendment "A" (H-664)** to **Committee Amendment "A" (H-623)**, which was **READ** by the Clerk

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

Representative **SALISBURY**: Thank you, Madam Speaker. Madam Speaker, what this Amendment will do is remove the line that says or by a law enforcement agency in accordance with Subsection 3. This removes the wording that was added as an Amendment, adding local law enforcement as an option to provide background checks. And so, this was done out of concern that that might create an additional issue for local law enforcement, so it removes that wording.

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

Representative **WHITE**: Madam Speaker, I would like to submit for your thought; why would we take this burden off of our government officials and place it solely on the private sector?

Representative **WHITE** of Guilford **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-664)** to **Committee Amendment "A" (H-623)**.

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 Adoption of House Amendment "A" (H-664) to Committee Amendment "A" (H-623). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 336

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

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carmichael, Costain, Cyrway, Davis, Dill, Drinkwater, Dunphy, Faulkingham, Fay, Foster, Fredericks, Galletta, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lajoie, Landry, Lanigan, Lavigne, Lee, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Russell, Sampson, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Adams, Andrews, Carlow, Collamore, Crafts, Cray, Ducharme, Gifford, Gramlich, Kessler, Moriarty, Parry, Rielly, Rudnicki, White B, Worth.

Yes, 70; No, 65; Absent, 16; Vacant, 0; Excused, 0.

70 having voted in the affirmative and 65 voted in the negative, with 16 being absent, and accordingly **House Amendment "A" (H-664)** to **Committee Amendment "A" (H-623)** was **ADOPTED**.

Committee Amendment "A" (H-623) as Amended by **House Amendment "A" (H-664)** 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-623)** as Amended by **House Amendment "A" (H-664)** thereto and sent for concurrence.

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

HOUSE REPORT - Ought to Pass as Amended by Committee Amendment "A" (H-569) - Committee on VETERANS AND LEGAL AFFAIRS on Bill "An Act to Reform the State's Adult Use Cannabis Seed-to-sale Tracking System to Allow for Canopy Tagging"

(H.P. 984) (L.D. 1529)

TABLED - June 16, 2023 (Till Later Today) by Representative TERRY of Gorham.

PENDING - **ACCEPTANCE OF COMMITTEE REPORT**.

Subsequently, the Unanimous Committee Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-569)** 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-569)** and sent for concurrence.

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

Expression of Legislative Sentiment in Memory of Jacqueline M. Labbe, of Minot

(HLS 82)

- **CARRIED OVER** to any special or regular session, of the 131st Legislature, pursuant to Joint Order S.P. 594 on March 30, 2023. TABLED - February 28, 2023 (Till Later Today) by Representative LIBBY of Auburn.

PENDING - **ADOPTION**.

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

Expression of Legislative Sentiment Recognizing Walker Oliver, of Hodgdon

(SLS 81)

- In Senate, **READ** and **PASSED**.

- **CARRIED OVER** to any special or regular session, of the 131st Legislature, pursuant to Joint Order S.P. 594 on March 30, 2023. TABLED - February 7, 2023 (Till Later Today) by Representative QUINT of Hodgdon.

PENDING - **PASSAGE**.

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

Representative **QUINT**: Thank you, Madam Speaker. I had this item tabled because I was so hoping that I could get Walker here. He's my neighbor and I was able to actually watch him growing up. We went for long walks on our property when he was a child and that the unique thing, I think, about this sentiment is that his father also did the same in his high school basketball career, so, it's a generational blessing, I guess you can say. So, once again, just congratulations to Walker.

Subsequently, this Expression of Legislative Sentiment was **PASSED** in concurrence.

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

Expression of Legislative Sentiment Recognizing Naldo Gagnon, of Raymond

(HLS 497)

TABLED - June 16, 2023 (Till Later Today) by Representative TERRY of Gorham.

PENDING - **PASSAGE**.

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

ENACTORS

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine Regarding the Timing of Judicial Review of the Determination of the Validity of Written Petitions

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

(C. "A" H-510; H. "B" H-710)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being a Constitutional Amendment, a two-thirds vote of the House being necessary, a total was taken. 107 voted in favor of the same and 10 against, and accordingly the Resolution was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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

Acts

An Act to Allow Maine Families to Increase Their Savings by Changing the Asset Limits for Eligibility for the Temporary Assistance for Needy Families Program

(H.P. 592) (L.D. 945)

(H. "A" H-709 to C. "A" H-299)

An Act Regarding Incarcerated Individuals and Legislative Apportionment

(H.P. 1093) (L.D. 1704)

(C. "A" H-446)

An Act Regarding Compensation Fees and Related Conservation Efforts to Protect Soils and Wildlife and Fisheries Habitat from Solar and Wind Energy Development and High-impact Electric Transmission Lines Under the Site Location of Development Laws

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

(H. "A" H-711 to C. "A" H-493)

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.

Emergency Measure

An Act to Ensure That Effective Dates of First Special Session Direct Initiatives of Legislation Will Occur After the November 2023 Election

(S.P. 323) (L.D. 764)

(S. "B" S-428 to C. "A" S-379)

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. 105 voted in favor of the same and 19 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Act

An Act Relating to Energy Storage and the State's Energy Goals

(S.P. 751) (L.D. 1850)
(S. "B" S-430 to C. "A" S-369)

Was 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.

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

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Friday, June 23, 2023, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE DIVIDED REPORT - Majority (8) Ought to Pass as Amended by Committee Amendment "A" (H-103) - Minority (5) Ought Not to Pass - Committee on HEALTH AND HUMAN SERVICES on Bill "An Act to Improve the Health of Maine Residents by Removing Exclusions to the MaineCare Program"

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

TABLED - May 9, 2023 (Till Later Today) by Representative MEYER of Eliot.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

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

Representative JAVNER of Chester **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 Chester, Representative Javner.

Representative **JAVNER**: Thank you, Madam Speaker, Men and Women of the House. This bill increases the tax for our residents and citizens of this State by \$17 million and it will just increase more as the years go by. I really encourage everyone in this room to think about your elderly neighbors, about those young families that are really being taxed astronomically and their budgets are getting smaller and smaller and smaller. So, I would request that you follow my light and reject this motion. Thank you.

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

Representative **LEMELIN**: Thank you, Madam Speaker, and friends in the House. I rise in opposition to the pending motion, not because I oppose immigration; my wife's an immigrant. On face value, it would seem that this bill is to help poor, defenseless immigrants, to have help starting a new life in Maine. However, this is deceptive. This bill goes against federal law. This bill is an attempt to allow illegal immigrants to access MaineCare. Illegal immigrants cannot receive Medicaid. Legal immigrants can receive MaineCare. We are all in favor of immigration and people seeking asylum. However, asylum does not mean you come to the U.S., make a statement and then stay. You must, by law, file the proper paperwork and be approved by the government.

In Committee, I asked a woman who deals with this immigration how she determines which immigrants will qualify for MaineCare and who will not. She said, I have no way of doing this. You know that was a lie. She does not want to check the status by asking for the appropriate paperwork so these people can illegally apply for MaineCare. We as a Body cannot legally approve this motion until we have a way to definitively prove everyone's proper status. It was testified to that at this time, we cannot accomplish doing this. Therefore, we have a duty to honor and obey federal law and correct this problem by finding a way to assure that the people applying have a legal status. Since we do not, if this bill passes, Madam Speaker, I will personally request a Congressional investigation into the matter. Thank you.

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

Representative **MADIGAN**: Thank you, Madam Speaker. I would like to remind folks that this bill just equalizes the playing field between Mainers who have lived here for generations and some of our new Mainers. This bill, the largest group it helps are people with green cards who, by virtue of having that green card, are in fact here legally. They are also one of the groups that works at the highest rates, they are paying taxes into the system and actually not getting any benefit. Anyone this bill applies for has to go through the same process any other Mainer goes through to qualify for MaineCare, which means they have to meet the income guidelines, which means they also have to prove they're a citizen.

So, the other piece I would like to say; so, this bill restores MaineCare coverage to this group of citizens. I know we're not supposed to refer to the other Body but this doesn't have to do with this bill, this has to do with; I never thought I'd be in the position of being the person that has institutional knowledge but I was in the Senate when this program was taken away and I would have to say that listening to the people that this impacted having their health care taken away was one of the most sad things I've ever experienced while I've been in this building. Mothers, working mothers who had chronic illnesses who would be unable to care for their children because they would not be able to access health care anymore, people with chronic illnesses, lingering injuries from war-torn countries who would not be able to get that treated. And I want us to remember that many of these people are parents and care for children who are already in our schools, who probably play with your kids, and they also work, and so, this also has to do with economic development because, as I am really fond of saying these days, I don't know who you think is going to be serving your meal, cooking your food, helping your elderly parent in the nursing home, but some of the new Mainers are the folks providing the backbone of the jobs in this State and I urge everyone to vote for this bill. Thank you very much.

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

Representative **LEMELIN**: Thank you, Madam Speaker. My good friend from Waterville spoke about people with green cards. First of all, we already passed a law in Maine that legal immigrants, which are people with green cards and people who have filed the proper paperwork for asylum, can already access MaineCare. That's already a law. The only thing this bill covers are what my friends want to call new Mainers that are here illegally. If they want to file the proper paperwork, they qualify for MaineCare and I'm all for it. But we already have that law in place. So, this would be a redundant law if my friend from Waterville is correct. However, this is not a redundant law. This

law is to allow people who are here illegally to access MaineCare and that violates federal law. Thank you.

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

Representative **ZAGER**: Thank you very much, Madam Speaker. I rise in support of LD 199 as a co-sponsor and I would ask that you allow me to offer a few things to consider in this Body. The first thing, Madam Speaker, is that health insurance saves lives. That's not hypothetical; it's been measured and quantified in the real world. In fact, health insurance is more effective as a lifesaver than things that pretty much everyone in here, I think, would recognize as routine care. Things like mammograms and colonoscopies, which we feel that we and our families are entitled to such routine care. Let's not lose sight of the lifesaving power of access to health insurance and care. Even as we consider these numbers, and I'll throw out a few more numbers in the next couple minutes, let's not lose sight of the fact that we are talking about real people.

The second thing, Madam Speaker, is that health insurance not only saves lives but it improves lives. Again, that's been quantified with measurable outcomes. For instance, the care of the management of chronic conditions. It's not just subjective, how do you feel, but you can measure the effectiveness by looking at things like emergency room visits. In 2021, a leading emergency medicine journal published a very important research paper that found that ER visits for psychiatric concerns dropped as more people got health insurance. That makes sense but it's also been proven. We can go beyond just the hypothesis of what we would suppose. More health insurance, fewer ER visits. That's also true for non-psychiatric chronic conditions, Madam Speaker. One paper published in the *New England Journal of Medicine* in 2017 pointed out that health insurance leads to problems being diagnosed at an earlier, more easily-treatable stage.

In the hearing on this bill in HHS, Dr. Renee Fay-LeBlanc illustrated this by telling us about a patient here in Maine who unfortunately suffered a stroke at age 50 due in large part to uncontrolled hypertension, high blood pressure, and diabetes. This woman, she said, suffered a stroke which was directly related to these factors. She now has difficulty talking and is paralyzed on one side. She is unable to work or provide for her family. She has been in and out of the hospital several times since her stroke and her children are missing school in order to bring her to appointments as she can no longer travel independently. She is just 50 years old. If she had access to medication and her blood pressure and diabetes were well-controlled, her life story would be vastly different and her ability to contribute to our community much greater. MaineCare coverage would've made all the difference. Let's remember that hospitals in Maine and throughout the country are required to assess and treat anybody who shows up in the emergency department. That is the essence of the Emergency Medical Treatment and Labor Act, EMTALA, signed by President Reagan in 1986. Why would we withhold preventive care and chronic disease management that would help keep people out of the emergency room when we know that when the diseases progress, they will show up. In fact, President Reagan said they ought to show up and be treated in our emergency rooms. I submit that we should keep small problems from becoming big ones and supporting LD 199 would help in that regard.

A third thing, Madam Speaker, is that health insurance is a good fiscal investment. We have a responsibility to taxpayers to use funds thoughtfully and expanding health insurance coverage is an investment with great return. That's another reason why I support LD 199. There's a couple mechanisms to

highlight on that third point. We collectively pay for health care one way or the other, so, why not pay for more appropriate care earlier in the condition, when it's less expensive and more effective? Research from the Kaiser Family Foundation suggested that it's an even better return on investment than the proverbial stitch in time. A trip to the emergency room is, on average, 12 times more expensive than the very same thing treated in a doctor's or nurse practitioner's office as an outpatient. Twelve times, even greater than nine times that stitch in time. But the ER is frequently how noncitizens get the health care they need unless we can pass LD 199.

The second mechanism is that it also strengthens our economy. One meta-analysis, it was a study of over 400 other studies, looked at the economic impacts of expanding coverage like this. And it looked at various things. There's seven things on this chart that I'm looking at but these are things like effects on the State economy, employment rates and uncompensated care costs. Uncompensated care costs, I'll remind the Body, Madam Speaker, is things like payments to our local hospitals that are going to and are also obligated to provide the care but don't get paid for it. So, in other words, supporting our local hospitals, keeping those hospitals open for all our constituents is also one of the benefits of LD 199. Of those 404 studies, none; none found negative economic effects of expanded Medicaid. Fourteen found something between positive and negative. We might call that statistically insignificant or something on the borderline; 14 out of 404. The other 390 found favorable economic effects of Medicaid. So, I respect and appreciate the input from my friend from Chester; highly respect her; \$17 million is not a small fiscal note but that is an investment and that is an investment that would pay off many times over for a very long time in this State. Now, I'm not purporting that the return on investment would be exactly the same as for other Medicaid expansion programs but my point is that access to health care is a great investment. That means supporting LD 199 would mean more money for things that are important to us here. Things like housing, education, fair taxes and other things.

Here's a narrative way that somebody described or put it rather than using numbers, he used his own experience. After having arrived in Maine as an asylum seeker, as a lawfully-present immigrant, as an asylum seeker, he then gained citizenship, ultimately founded a business that now employs 70 people. Seventy Mainers. This gentleman said today, I am proud to be a U.S. citizen, a Mainer, a business owner and a taxpayer. This wouldn't happen if I was not provided services including health care upon arrival in Maine. I am an example of the contributions immigrants make to our economy. Therefore, fellows who are in need of health care today represent who I was upon arrival and the person I am today, he said, represents who those people will be tomorrow.

In describing how health insurance saves lives, improves lives and is a wise fiscal investment, I'm being fairly analytical. But much of the testimony on this bill before our Committee spoke to a fourth thing to consider, and this is the fourth and final one. That's the commitment to fairness and neighborliness that is implicit in LD 199. Some opponents of this bill have essentially said why should anybody get a free ride? If this is your approach, Madam Speaker, please ask yourself if you really know who is getting the free ride. It's not immigrants, according to the current research published last November in the *Journal of the American Medical Association*. This paper examined five recent years of the churning of the U.S. health care system and found that immigrants contributed \$58 billion more in premiums and taxes in one year than everyone else paid for the immigrants' health care. And U.S.-born citizens incurred

a net deficit of \$67 billion. That's in the entire country, that's not Maine, obviously, but we are part of that, we are a slice in that pie. When it comes to health care, this research suggests, it's U.S.-born citizens that are getting if not a free ride, a discounted ride, Madam Speaker. So, if you think people should pay for what they receive and receive what they pay for, then supporting LD 199 would be a step in the right direction. We heard in debate last Wednesday fervent testimony from Members of this Body about treating workers like family. I believe them. And I also believe that folks believe that family ought to get access to health care. This bill is another expression of that, Madam Speaker.

Finally, Madam Speaker, I'll close by elevating the testimony of Reverend Jane Field. Now, she was not speaking just for herself, she was speaking for the Maine Council of Churches, over 400 churches throughout this State. Reverend Field said the Maine Council of Churches affirms that in a just society, all people are entitled to full access to health care. We reject as contrary to our understanding of the Gospel the notion of differing standards of health care for people based on their immigration status. We at the Maine Council of Churches believe that providing MaineCare to people regardless of their immigration status is more aligned with our faith's values than the current system. The Reverend urged us to contemplate things from Scripture such as looking out for the interests of others, doing unto others as you would have them do unto you, love your neighbor as yourself, she said, and carry each other's burdens while defending the rights of the poor, Madam Speaker. Reverend Field asked us to keep our hearts open, in effect, and I do, too. I ask that this Body keep our hearts open to the health, fairness and economic good that LD 199 would bring. Thank you, Madam Speaker.

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

Representative **FREDERICKS**: Thank you, Madam Speaker, and Men and Women of the House. I do not support LD 199 but my point is a different one. I think our health care system currently is in crisis and aside from the cost, this extreme cost, as well as the legality that there may be a federal ruling that rubs against this bill, we've already heard about our workforce in the health care setting that, you know, doctors and nurses are leaving the State, you know, it takes months to find a primary care provider. It takes, you know, same for a cardiologist. I believe in health care improves the lives of others and it does save lives. But with open borders, we don't even know what this demand on our already-fragile system would do when we have no idea of what number of patients would suddenly be this deluge on a very fragile system. So, I say to the Body, consider that our system is in crisis, we're at the brink and this possibly could bring it to total collapse. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from North Yarmouth, Representative Graham.

Representative **GRAHAM**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I rise in strong support of LD 199, "An Act to Improve the Health of Maine Residents by Removing Exclusions to the MaineCare Program." I am a descendent of immigrants. We in this Chamber are all descendants of immigrants. And that even includes the Good Representative from the Passamaquoddy. He is partially descended from immigrants. My ancestors fled from Ireland due to a famine. My husband's family fled from Scotland due to political persecution. I want to share with you some information from my good friend, Dory Waxman, who we honored recently, and Common Threads of Maine. They train individuals from all

over the world; the Congo, Angola, Columbia, Burkina Faso, Ghana, Iran, Iraq, Belarus, Rwanda, South Africa, Mexico, Azerbaijan; and all these individuals, a majority of these individuals, have gone on to contribute to our economy in the textile industry, 75% now and 90% before COVID. But they don't have health care. It is my understanding that with a green card, you have to wait for five years before you're allowed to have health care. My good colleagues, I speak often about prevention. It's my passion. Preventing illness is far more cost-effective, as the Good Representative from Portland pointed out. We know that when we ignore health care needs today, people face preventable illnesses and unnecessary suffering and it increases health care costs for our whole health care system. Without health coverage, many low-income immigrants must wait until a condition becomes an emergency to get care, endangering their health and putting added stress on an overburdened emergency department. Children's access to health care improves when their parents have health care coverage. Madam Speaker, I'll conclude. Health care is a human right and I will do whatever I can to make sure people access the care they need. Thank you.

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

Representative **WHITE**: Thank you, Madam Speaker, and Members of the House. I have a neighbor who just recently became a citizen and I was fortunate enough to be invited to his ceremony right in Bangor and it was one of the most wonderful things out of all the events that I attend that I have ever been to, along with my wife and some of his friends and family. I have become friends with him over the years that he's lived right next door to me. He came to the U.S. around 20 years ago; and, again, this took 20 years for him to become a citizen. He has given back, he's an engineer, he recently started a coffee business. And when I think about; maybe the situation is a little bit different but if I think about him maybe having some medical issues early on while he was here and not being able to get the help that he would've needed, he probably wouldn't be at the point where he is today. In fact, portions of his coffee proceeds, he sends back to help the farmers, the coffee growers in Africa, so, he continues to give back. He pays in a tremendous amount of taxes, he supports the community and the State in many ways. He is a host to students from some of the colleges, Colby College and others around so, when that students come from other countries, he's there for them to help them as he has been helped in his country over the years. And I think there's a lot of misinformation that goes around on these immigration bills. I fully support this and I want to continue to fully support citizens and people that come into this country and that need that little extra help to get them to where they will be in the future. So, I urge you to support this bill and I thank you for allowing me to speak.

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

Representative **THORNE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to the pending motion on LD 199. We do open up our hearts. I listened to some speakers today talk about we need to open up our hearts to new people, to new immigrants, new Mainers. But we also have to understand there's a price for everything and we all have our prices that we pay for things in our lives. As I was just sitting here, I was thinking what I pay for besides health insurance, dental insurance, supplemental insurance, camp insurance, car insurance, homeowners' insurance, boat insurance, ATV insurance. I have a mortgage payment, I have car payments, I have groceries that I pay for, gas that I have to

purchase to get here, cable, phone, internet bills, credit card payments, I got a HELOC payment and a home improvement loan. So, there's a lot of things that I open my wallet to, to live in this State and I think why are we just stopping at health insurance? Why don't we pay all of these things for anybody who comes to Maine in the order of opening up our hearts to them so that they can afford to live here and be healthy?

I do advertising sales, Madam Speaker, and the most generous people in purchasing ads are people that pay for the ads out of other peoples' money. The small business owners, they buy very practical ads, and sparingly. They may go every other month, every other year. The ones that have the spending accounts buy full-page, half-page ads, it doesn't matter, as long as they have the money to pay for it. If we justify that we have to pay for this out of taxpayers and citizens of Maine residents' pockets, where do we stop? Where do we draw the line? What do we pay for? How much do we pay for? I listened on the way down on a radio program, a Maine legislator talking about veterans' care and keeping veterans' homes open and how we were going to afford it. These were people that put their life on the line for Maine and for this country. They sacrificed, they worked, they toiled. And while I understand people that show up here from Texas or whatever country they came from need to live, by virtue of showing up does not mean that we need to carry the cost of that burden on our taxpayers that already have high payments of their own and payments that are going up by the day. I urge you to follow my light and vote Ought Not to Pass.

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

Representative **MADIGAN**: Thank you, Madam Speaker. I apologize for rising a second time. In fact, this is the first time I've done that. But I wanted to point out a few facts to my colleague, the Good Representative from Chelsea that, in fact, pregnant people and Mainers under 21 have already had access to MaineCare, so, this isn't everyone. This is just really folks of working age and the majority of them are working. And I would also like to point out that no matter what your thoughts, opinions, about U.S. foreign policy, forever wars, whatever else we want to call it, that the largest group of new Mainers, immigrants, in Kennebec County and perhaps across the State, I'm not sure, are Iraqi immigrants. These are folks that worked for our military, for our government, at great risk to their lives. I've treated some of them as a clinical social worker and they have seen horrific things and they qualify for asylum here because their lives are in danger where they live. Many of them have worked for years for our military. One of my good friends in town, actually, in Waterville, is a man who worked for an elite American military unit as an Iraqi advisor. These people work, these people brought their families here to save all of their lives. It's the least we can do. Thank you.

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

Representative **DHALAC**: Thank you, Madam Speaker. I rise in support of LD 199. MaineCare should cover every Mainer with low income, no exceptions, no exclusions. I believe that all Maine people, no matter where they came from, should have access to affordable health care and should be able to see a doctor when they need to. Exclusions based on immigration statuses are unfair and shortsighted and they harm our community's health and ability to fully participate in the workforce.

Mainers want more health care, not less. In 2017, Mainers overwhelmingly voted to expand MaineCare and today, it provides coverage for more than 106,000 people and was

critically important for our public health over the last few years. Madam Speaker, MaineCare for everyone with low income, including immigrants, will make us all healthier. Without health coverage, many low-income immigrants must wait until conditions became an emergency to get care, endangering health and putting added stress on our overburdened emergency departments. Children's access to health care improves when their parents have health care coverage. Children's physical, mental and emotional health are impacted by the well-being of their caregivers who the whole family needs care to thrive.

Madam Speaker, immigrants are leaders in our communities, in our schools, in our workplaces and in our governments. Immigrants contribute at least \$193.9 million in State and local taxes annually and an average immigrant will come to Maine are more likely to make advanced education and start businesses, creating thousands of jobs. They work, they contribute to the economy and to our communities and pay taxes into the system but are unable, ineligible to get those assistance when it comes to health care. Healthier employees are more able to meet the demands of their job and spend less time out of work. The overall causes of missed work days, lower outputs and disability far outweigh the direct costs of medical care.

Madam Speaker, access to health care also means less hunger, fewer evictions and stronger financial futures. Madam Speaker, Maine's economic future depends on attracting a skilled workforce to the State of Maine. Immigrants are an important part of that future. September 2016 report by the Maine Development Foundation and the Maine State Chamber of Commerce concluded we need to be respectful to the fact that many of the people who will grow our population, our workforce and our economy will look different than most of us and have different backgrounds and different cultures.

Madam Speaker, LD 199 would help Maine address inequity and racial disparities, an important step to reducing health disparities is to ensure all low-income Mainers, including immigrants, have access to preventive care, prescription drugs, care for chronic conditions and mental and behavioral health care. Madam Speaker, Maine experienced some of the worst racial and ethnic disparities for COVID-19 in the nation. Lack of access to basic health care to treat the preventive underlying health conditions made our low-income communities of color, many of whom were immigrants in frontline jobs more vulnerable to this virus.

Madam Speaker, LD 199 continues Maine's work of improving access to health care that started with medical expansion, making our health care systems more equitable and our workforce more resilient. Immigrants are essential parts of Maine's communities and our future. It's time we honor their human rights to care. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Eliot, Representative Meyer.

Representative **MEYER**: Thank you, Madam Speaker, Esteemed Colleagues in the House. Immigrants have long been essential to the fabric of Maine, our economy, our culture, our communities. LD 199 provides MaineCare coverage for noncitizen residents of Maine who are 21 years of age or older with qualifying low incomes but who are not eligible for MaineCare coverage due to their immigration status. This builds on steps taken by the Legislature in 2021 that expanded access to MaineCare and to CHIP coverage for people under the age of 21 and to pregnant people, regardless of immigration status. LD 199 will allow the remaining income-eligible adults who are currently excluded from MaineCare to have access to health coverage. When people have access to a full range of health

care, including preventative care, they have better health outcomes and are more likely to maintain employment and to lead healthy, productive lives. Making this humane and equitable change will help to improve the health of our neighbors, our coworkers, our constituents, a critical part of our workforce, and will reduce reliance on emergency rooms to provide care that could've been prevented. This will reduce health disparities and will improve our overall public health. Ensuring all Mainers have health coverage is both the right thing to do for those who are currently left behind but also because it is an investment in our workforce, our economy and in Maine's future.

The SPEAKER: The Chair recognizes the Representative from Madawaska, Representative Albert.

Representative ALBERT: Thank you, Madam Speaker. I've been listening to all of this all afternoon and we have qualities of both sides of the argument. But as time goes along, I'd like to call it what it is; it's called socialized medicine. Thank you, Madam Speaker.

The SPEAKER: The Representative from Chelsea, Representative Lemelin, having spoken twice requests unanimous consent to address the House for the third time. Hearing no objection, the Representative may proceed.

Representative LEMELIN: Thank you, Madam Speaker. The speeches given about LD 199 before this Chamber have been phenomenal. There's only one problem, though, and that is every speech covers the exact same thing and that is that MaineCare should be provided to immigrants and that we should welcome immigrants with open arms, that they need health care, we need to show our charity, et cetera, et cetera, et cetera. How it helps our workforce, there's no disagreement. As a matter of fact, as I explained it, that law is already in place. There is no five-year waiting period. The reason there isn't is because we passed a law to eliminate that. MaineCare is available to all immigrants to Maine, every single one of them, I don't care where they come from. You pick the country, Madam Speaker, they come here, they apply for immigration status, they get approved, they apply for MaineCare. And we welcome them with open arms. The law's already in place.

The problem is the elephant in the room. LD 199 has nothing to do with immigration. That's cleverly put in the words of the bill which the Good Representative from Eliot just said; we need to cover the people who don't qualify because of their immigration status. What immigration status is that if we have a bill already in place, it's law, that every immigrant can apply for MaineCare if they qualify under the rules of MaineCare by income. So, what is this immigration status that we're talking about? Well, it's simple, Madam Speaker; I've said it 50 times. Maybe I don't talk clear enough or loud enough. I'm going to try one more time. That immigration status is called illegal immigrants. They're not new Mainers, they're illegal immigrants, and by federal law, we cannot grant them MaineCare. The only way we can, is to pass LD 199 and then turn a blind eye, not check their immigration status, assume they're new Mainers in need of health care and provide this health care. We can't do that by federal law. This bill makes it so they don't have to check their immigration status anymore because this bill states that due to the immigration status of being illegal immigrants, we will now by law in Maine give them MaineCare. The people of Maine are against this. All these individuals have to do is file the paperwork. That's it. It's really simple. They can come to my house, I'll help them fill it out. If they file the paperwork, they're legal, then they can apply for MaineCare and then every speech given today is in effect. This is really simple but we cannot pass LD 199 because of the elephant in the room. Due to immigration

status means they are illegal immigrants and we can't accept this. There's already a federal law in place preventing it. So, Madam Speaker, once again, to make it crystal-clear to people, LD 199 is not about giving immigrants MaineCare. That bill is 100% in effect, we removed everything, there's no waiting period, there's no passing go and collecting \$200, it's automatic, just apply. But we cannot move forward with LD 199 without violating federal law. Thank you for allowing me to speak.

The SPEAKER: The Chair recognizes the Representative from Eliot, Representative Meyer.

Representative MEYER: Thank you, Madam Speaker. I am grateful for the opportunity to rise again because facts matter. So, here are the categories of individuals we are seeking to cover under LD 199; lawful permanent residents, otherwise known as green card holders, subject to the federal five-year bar; asylum seekers with pending applications, asylees are already eligible; certain survivors of domestic violence, including Violence Against Women Act self-petitioners who have been in the U.S. less than five years; student visa holders. These are the individuals for whom this legislation is written who would benefit from coverage under LD 199.

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. 337

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

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

ABSENT - Adams, Andrews, Carlow, Collamore, Cray, Gifford, Gramlich, Kessler, Parry, Rielly, Rudnicki, Worth.

Yes, 78; No, 61; Absent, 12; Vacant, 0; Excused, 0.

78 having voted in the affirmative and 61 voted in the negative, with 12 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-103)** 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-103)** and sent for concurrence.

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

Representative TERRY of Gorham moved that the House **RECONSIDER** its action whereby Bill, "An Act Relating to Net Energy Billing and Distributed Solar and Energy Storage Systems"

(S.P. 815) (L.D. 1986)

FAILED PASSAGE TO BE ENACTED.

Representative FAULKINGHAM of Winter Harbor **REQUESTED** a roll call on the motion to **RECONSIDER** the House's action whereby the Bill **FAILED 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 Reconsideration of the House's action whereby the Bill Failed Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 338

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

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

ABSENT - Adams, Andrews, Carlow, Collamore, Cray, Gifford, Gramlich, Kessler, LaRochelle, Parry, Rielly, Rudnicki, Worth.

Yes, 73; No, 65; Absent, 13; Vacant, 0; Excused, 0.

73 having voted in the affirmative and 65 voted in the negative, with 13 being absent, and accordingly the House **RECONSIDERED** its action whereby the Bill **FAILED PASSAGE TO BE ENACTED.**

Representative ARATA of New Gloucester **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: The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: I figured I'd take the opportunity to speak, Madam Speaker. I think we all know that right now, this State has a huge problem with our electricity bills. It is absolutely devastating, punishing our people on fixed incomes, poor people. We're all in here, regardless of party, supposed to be working for those people. There's just no hiding it. I mean, these electric bills have become insane and when

you look at the numbers that have come out of the Office of the Public Advocate on how much money is going to get heaped on top of the ratepayers from this program, it's clear that we need to do something. And it has become abundantly clear within the last few days and especially today that there are two competing measures and one plan, the plan currently before us, is an absolute joke and I think we all know it. Do not support this plan because there's a better one coming.

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

Representative **DUNPHY**: Thank you, Madam Speaker. Madam Speaker, just in terms of numbers, the impacts of NEB and this bill doesn't do a whole lot for us. It's around \$20,000 for hospitals, \$15,000 for nursing homes, \$8,000 for sewer districts, papermills and grocery stores in excess of \$100,000 a year. That's a lot of money and it's paid for by our constituents either directly or indirectly. When you go shopping, when you drive your car, everything that utilizes electricity, that cost is passed on. So, I don't remember what the vote was because it was a few minutes ago and I'm old, but nonetheless, how is it that we are allowing non-elected, non-accountable special interest groups to change the minds of people in a short time? I mean, I get it, it's politically driven, but this is impacting our constituents. The hired guns in the hall don't give a rat's backside about our constituents. They're concerned about their own special interests. And to be flipping votes based on pressure from some organization like the NRCM or the --

Representative **ROBERTS**: Point of Order.

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

Representative **ROBERTS**: Thank you, Madam Speaker. The Member is questioning the motives about other Members.

On **POINT OF ORDER**, Representative ROBERTS of South Berwick objected to the comments of Representative DUNPHY of Embden because he was questioning the motives of other Members of the House.

The SPEAKER: The Chair will remind Members to not question the motives of other Members or to impugn their characters.

The Chair reminded all Members that it was inappropriate to question the motives of other Members of the House.

The SPEAKER: The Member may proceed.

Representative **DUNPHY**: Thank you, Madam Speaker. I wasn't challenging anyone's motives; I'm challenging the behavior of the hired guns in the hall. Thank you.

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

Representative **BRADSTREET**: Thank you, Madam Speaker. I'd just like to state briefly that voting yes on this particular bill could conceivably cost the ratepayers in this State around \$100 million. I certainly don't want to go on record as sticking the ratepayers for \$100 million and I hope most of us don't as well. Thank you.

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

Representative **THERIAULT**: Thank you, Madam Speaker. I only try to rise when I think there's an opportunity to sway Members. It was commented a few days ago on this bill that it could save 10%, maybe 20% at the best; electricity bills is one of the things that I get contacted daily. I had a grocery store just show me a bill for \$20,000 for last month and they haven't even started to see the effect of net energy billing. That's coming soon. So, I think that this is a bipartisan issue and we should signal by voting no on this that we want more than 10%

or 20% for our constituents. Every vote matters and sometimes, a vote is a signal to the direction our Body and our Chamber wants to go. And I know that the Chief Executive will take this vote into account as well. So, I would urge Members to stick with their original vote so that we could signal to the constituents that we're actually going to do the work for them and not give them 10% of what's going to be \$220 million of extra cost added to a majority of out-of-State interests.

I understand that there are some people who have businesses who benefit from this locally but try telling that to your constituents. Try telling that to a poor middle-class family or an elderly family or elderly couple who's going to open up their bill in three to four, five, six months from now and realize that they're paying for a couple interests that it's just not fair. And the Good Representative from Scarborough, I give her a lot of credit for working diligently on this issue and we can do a lot better. And so, I hope that we send a bipartisan signal that we do not support this legislation because it doesn't go far enough for the poor and the middle class, who are going to be suffering under net energy billing in the years to come. So, I would hope that some follow my light and so we can send a good signal that we can do much better.

The SPEAKER: The Chair recognizes the Representative from Scarborough, Representative Warren.

Representative **WARREN**: I just wanted to rise very briefly just to say again that I oppose the pending motion. I would ask that you follow my light. I believe that we've got to address climate change, that we need to meet our State's ambitious and necessary climate goals, but we can do it in a way that protects ratepayers at fair and reasonable prices. This is not that bill. That measure is possible, it can be bipartisan if we can work together, I think that we can come up with a reasonable and equitable solution on this very complex, important topic. But this is not that bill. I hope that you'll follow my light.

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

Representative **SAMPSON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I did this this morning when we were in caucus talking about these bills. I wanted to hear from constituents and specifically; I mean, I've heard from a lot of individual constituents and just for reference's sake, I'm from the town of Alfred, the oldest town demographically in the State of Maine. That means I've got the most number of people on fixed incomes. Their electric rates are terrifying them. But I went ahead and I contacted various businesses in my area and in a matter of minutes, I was getting responses and I'm going to put the challenge out there for everyone to do this. It's very eye-opening. But bills that literally have doubled and the comments; I didn't ask for comments, I just said what was it last year, the average, what is it now. It was very simple. I said I want to compare apples with apples. And they've increased essentially on average twice as much. So, if you were paying \$1,700, you're paying 34, 35, and in one case, \$3,800. So, it's more than double. And this is unsustainable and these small businesses; I mean, stop and think about it, this could drive our little businesses to close and there goes the little restaurant, there goes the convenience store, there goes the farm store, all of these services that we have become accustomed to that serve our communities are going to not be able to sustain this and I implore you let's reconsider this and stick to your vote from earlier. Our constituents; we need to send a message that says we hear you, we hear you, we are trying to help you. I ask you please to consider that and take this to heart. Thank you so much.

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

Representative **THORNE**: Thank you, Madam Speaker. I rise in opposition to the pending motion and to echo what the Good Representative from Alfred said. I did just that. My brother and my nephew own a few ice cream businesses here in Maine. I had a stent, so I'm a little emotional at times when things hit home. My nephew sent me the electricity bills from one location. In January of '21, his electricity bill was \$1,000. In January of '22, the electricity bill was \$2,264. That's over double. In January of '23, the electricity bill was \$3,319. And he finally sent it to his Uncle Jim, a legislator, a Representative of the people of Maine, because in March of 2023, his electricity bill in Ellsworth was \$4,533. Madam Speaker, you have to sell a lot of ice creams to pay for an electricity bill of \$4,533 in one store. I don't know what to tell him. All I can tell him is that I will vote against the pending legislation and I hope for the sake of small businesses other legislators in this room will follow my light and vote no on this pending motion.

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

Representative **RUNTE**: Thank you, Madam Speaker. First of all, I think it needs to be abundantly clear that yes, all the rates have gone up considerably for lots of different reasons. But none of it has anything to do with net energy billing. Zero. The issues with the current bills have everything to do with what's happened to supply and rate cases that deal with the delivery charges, and that's it. And if we're going to make comparisons with the other bill that people are talking about and we're going to talk about lobbyists, that bill was prepared entirely by a single special interest group and they didn't bother to take their authorship off the --

Representative **LANIGAN**: Point of Order.

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

Representative **LANIGAN**: It seems that we're referring to another bill. I'd like to ask the Member to stay germane to this bill currently. Thank you so much.

On **POINT OF ORDER**, Representative LANIGAN of Sanford asked the Chair if the remarks of Representative RUNTE of York were germane to the pending question.

The SPEAKER: The Chair would remind the Member to speak directly to the motion and the bill before us.

The Chair reminded Representative RUNTE of York to stay as close as possible to the pending question.

The SPEAKER: The Representative may continue.

Representative **RUNTE**: Yes. What this bill doesn't do is it doesn't retroactively affect the 33,000 customers that are in solar programs now. It doesn't deter further development of solar in the State by putting a pale over our commercial reliability. There will be an impact of the existing problem and the existing problem is recognized on a bipartisan basis, that the method that's being used right now is a real problem and it needs to be fixed. But we need to fix it in a way that both solves the problem and allows us to continue moving towards our goals without looking at short-term issues. We can quibble about what the specific number is that needs to be recovered based on what's happened so far. That number is going to come out, it's coming out July 1st in the most recent rate case and it's a small fraction of the overall rate increase that's been applied for and approved in the settlement. But we need to have a forward look to this and to take this short-term view that we're going to do radical changes, it flies in the face of us trying to meet the climate goals that we've established for the State and for reliable

and affordable electricity supply system in the State and, yeah, this is a very complex issue, it's difficult for a lot of people to get their hands around and, unfortunately, when that happens, a lot of misinformation is out and it's a vehicle to exploit people. So, what I'm urging everyone to do is consider 1986 as the appropriate vehicle to both deal with the very high compensation that's being given to developers now but look forward, look to our future in terms of how we deal with this longer term. Thank you, Madam Speaker.

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

Representative **FOSTER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. For five years, I have prided myself on standing in this Chamber and providing facts to other Members of this Chamber, of this House, to consider as they look at voting on different energy bills how they should vote. I have given you many facts as they come out of the Office of the Public Advocate's Office and others, as close as I can provide. To say that we are going to change the course of our fight against climate change if this bill is not passed is not a fact. As I have said before, the PUC said back in 2019 we can get all of the solar that we need by competitively bidding for it without the cost of net energy billing. As a matter of fact, many times Mr. Stoddard, the director of the Efficiency Maine Trust, has sat in our Committee room over the last five years and when we have passed bills has reminded us, because most of them do, if not all, that when we pass a bill that raises the cost of electricity in the State of Maine, we make his job that much harder to get people to convert over to efficient items, whether it's EVs or whether it's LED lightbulbs, which will save ratepayers in the long run because it will reduce the need for electricity.

Madam Speaker, this bill does nothing to address the cost of net energy billing going forward. The Office of the Public Advocate has come out with the numbers, \$220 million additional over the next 20 years and that has been backed up by the Public Utilities Commission as being derived from legitimate information. This bill does not address the fact that yes, energy costs have risen greatly because of the tie to natural gas and other fossil fuels. It does not do anything to stop that. So, if we consider the fact that we can get all the competitively bid solar that we need at four cents on average per kilowatt hour and that we're still going to be dependent on fossil fuels and it's going to be tied directly to the standard offer and that if this bill passes, it does nothing to reduce the amount of net energy billing that people will be paying for, why would we support this bill? When we talk about the 33,000, approximately, customers who have signed up for net energy billing solar who would be affected because they may lose their 15% reduction in their bill coming from the solar companies, we have to remember that at least some of those would not be affected because they are below what the limits of other bills might address. But we also have to consider that if, on average, they're going to receive something around \$220 off annually as a result of being signed up for these programs, we also have to consider the, what, one million plus people that are out there that are paying for it who, because of net energy billing it's been established will have to pay an additional \$275 each annually to pay for net energy billing for those 33,000 current customers. Doesn't make sense to me. I can't go to my community, where very few people can afford to put solar panels on their roof, and tell them that that's a good deal.

I came here to represent my constituents, most of which in the Penquis region are low-middle income to lower-income folks. Many of them are also dependent on many government programs, including LIHEAP. I can't go back there and ask them

to pay for those mostly in southern Maine who can afford to put solar on their roofs. But in a bipartisan manner, I will probably have to do that because net energy billing will not be dead in any measure, as I said, that has come out of the Energy Committee this year that has passed out of committee Ought to Pass. Net energy billing will not go away for rooftop, backyard and small community solar. So, that's a myth. We will continue to march forward but we can do so with much less expensive net energy billing solar for the people of Maine in the future, still get our acres of solar panels that we need to convert over, and the only ones that we'll lose are those who are out-of-State interests who have financed these programs, Madam Speaker, going forward. I ask that you follow my light and vote down the pending motion.

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

Representative **CYRWAY**: Thank you, Madam Speaker. I just had to stand up because I've had constituents that I talk to at the grocery store, at the diner, at the hardware stores. They all say the same thing; our electric bill is atrocious. One grocery store told me their bill was running around \$3,500 and that was right before COVID struck and then, all of a sudden, it went up to \$6,000, and then it was to \$10,000 and now with this net energy billing, it's hard to say how much more it's going to be. They said if there's anything you can do to slow that down because if you don't, all this goes onto the customers and so, we're not saving, we end up spending twice as much, we're spending on electric bills but we're also spending on the food we have to buy, we're spending on the items we have to build with, we have to spend it on fuel, we have to; everything's gone up, up, up. And it doesn't stop until we stop. And so, I'm just asking for all of us to stop spending, and this is a spending bill because it's costing customers, our constituents, money. I've got a friend who, you know, he gets about \$1,300 a month and he's lucky if he's got one light on at night and a TV and it's gone up. He says I can't keep spending like this, he says, my grocery bill, my heat, everything and he's disabled. Thank you.

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

Representative **PRINGLE**: Thank you, Madam Speaker, and Ladies and Gentlemen of the House. I rise in favor of the motion. I'd like to add that I've heard from more constituents asking me to vote in favor than against this bill. I have had constituents on both sides but I would say that I've had at least two-thirds asking me to vote in favor, perhaps even three-quarters. I'd also like to say that I'm somewhat hurt by the statement that I don't care about electricity costs for my constituents because I'm voting in favor of this. I actually care deeply about the electricity costs for all of us. I've listened to the testimony of experts and the Committee and recognize that we live in a very complex world with a lot of things affecting our energy costs and it seems to me, and I'm old enough to have learned to be pragmatic and to realize that sometimes my passions make me vote for something hoping it's going to solve a problem that I'm angry about and then realize that I shot myself in the foot because the solution really wasn't the best long-term solution. So, the art of the long view, I actually had a little education on that when I did executive education at the Wharton Business School and some of them who pointed out that yeah, sometimes you have to do things looking way into the future and I think we've heard that from our Members of the Energy Committee. And I love the passion of our younger climate savers but I'm a little worried that some of their ideas are not as pragmatic and not as effective. So, I hope that you will listen to our experts who came together and not respond to the concerns

about who's making money about our past mistakes. That's water over the dam. Let's look at how to invest our money the right way over the long view to get all of our costs down. Thank you, Madam Speaker.

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

Representative **BAGSHAW**: Thank you, Madam Speaker. I also serve in Windham and I'm having quite the opposite; people contact me that are struggling and don't want this. So, I just think things on the other side of Windham are different and they don't want this. Thank you.

The SPEAKER: The Chair recognizes the Representative from Montville, Representative Zeigler.

Representative **ZEIGLER**: Thank you, Madam Speaker. I rise but would also like to say that there are many lobbyists out there, there always are many lobbyists, and they are on both sides. So, I would suggest that we are all lobbied by many different individuals. I hear from my constituents and many have asked me to vote for 1896. I am a member of AARP. I am on a fixed income, I realize that. We need to look at the future and we need to work towards electrifying our State so we can reduce our use on fossil fuels. The Good Representative from Scarborough says she believes in this but she feels this isn't the bill. I disagree. I think this is the bill. We are going after federal funding to reduce the cost. We looked at stranded costs so we could reduce the cost of NEB. This will reduce the cost. Electric bills are not expensive because of NEB right now, they are expensive because of natural gas. So, I hope that people realize that we need to move forward and this bill will move us forward and it will help the ratepayers in this State. Thank you.

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

Representative **DUNPHY**: I would just like to state the obvious. If we continue with the net energy billing the way it is or with this bill, we won't need to worry about decreasing our energy consumption because businesses will be leaving the State in droves. What we are doing is unsustainable, in my opinion it's unethical and it's immoral to be dumping these costs for a very few businesses on our constituents. It's unfair and it's unjust. Thank you, Madam Speaker.

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

Representative **LANIGAN**: Thank you, Madam Speaker. I just would like to pose a question through the Chair. And just because I might want to switch my vote, too, is in the last hour that we were sitting here, is there something different in the bill that I'm not catching that is making us change our minds? Just if anyone has that knowledge, thank you so much.

The SPEAKER: The Member has posed a question to anyone who cares to answer.

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. 339

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Craven, Crockett, Dhalac, Dodge, Doudera, Fay, Gattine, Geiger, Gere, Golek, Graham, Hepler, Hobbs, Jauch, Kuhn, Lajoie, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Montell, Moonen, Moriarty, Murphy, Osher, Paulhus, Perry A, Perry J, Pringle, Rana, Reckitt, Roberts, Roeder, Runte, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, Zager, Zeigler.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Costain, Crafts, Cyrway, Davis, Dill, Drinkwater, Ducharme, Dunphy, Eaton, Faulkingham, Foster, Fredericks, Galletta, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Landry, Lanigan, LaRochelle, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Milliken, Morris, Ness, Newman, Nutting, O'Connell, O'Neil, Paul, Perkins, Pluecker, Poirier, Polewarczyk, Pomerleau, Quint, Riseman, Russell, Sampson, Schmursal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, Warren, White B, White J, Williams, Wood, Woodsome, Madam Speaker.

ABSENT - Adams, Andrews, Collamore, Cray, Gifford, Gramlich, Hasenfuls, Kessler, Parry, Rielly, Rudnicki, Worth.

Yes, 63; No, 76; Absent, 12; Vacant, 0; Excused, 0.

63 having voted in the affirmative and 76 voted in the negative, with 12 being absent, and accordingly the Bill **FAILED PASSAGE TO BE ENACTED** and was sent to the Senate.

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

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment Friday, June 23, 2023, 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 (9) **Ought to Pass** - Minority (3) **Ought Not to Pass** - Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Reduce the Enrollment Requirement for Minor Political Parties That Seek Official Party Status"

(S.P. 328) (L.D. 769)

- In Senate, Majority **OUGHT TO PASS** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED**.

TABLED - May 23, 2023 (Till Later Today) by Representative SUPICA of Bangor.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

Representative SUPICA of Bangor moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

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

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

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

ROLL CALL NO. 340

YEA - Abdi, Albert, Arata, Ardell, Arford, Babin, Bagshaw, Bell, Blier, Boyer, Bradstreet, Bridgeo, Campbell, Carlow, Carmichael, Cloutier, Cluchey, Collings, Costain, Crafts, Crockett, Cyrway, Davis, Dhalac, Dodge, Drinkwater, Ducharme, Dunphy, Eaton, Faulkingham, Fay, Foster, Fredericks, Galletta, Greenwood, Griffin, Guerrette, Haggan, Hall, Hasenfuls, Henderson, Hepler, Hobbs, Hymes, Jauch, Javner, Lajoie, Landry, Lanigan, LaRochelle, Lee, Lemelin, Libby, Lookner, Lyman, Madigan, Mason, Millett H, Milliken, Morris, Ness, Newman, Nutting, O'Connell, Osher, Paul, Paulhus, Perkins, Perry A, Perry J, Pluecker, Poirier, Polewarczyk, Pomerleau, Quint, Riseman, Roeder, Russell,

Sachs, Salisbury, Sampson, Sargent, Schmearsal-Burgess, Shaw, Sheehan, Simmons, Skold, Smith, Soboleski, Strout, Supica, Swallow, Terry, Theriault, Thorne, Underwood, Walker, Warren, White B, White J, Williams, Wood, Woodsome, Madam Speaker.

NAY - Ankeles, Boyle, Brennan, Copeland, Craven, Dill, Doudera, Gattine, Geiger, Gere, Golek, Graham, Jackson, Kuhn, Lavigne, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Montell, Moonen, Moriarty, Murphy, O'Neil, Pringle, Rana, Reckitt, Roberts, Runte, Shagoury, Stover, Zager, Zeigler.

ABSENT - Adams, Andrews, Collamore, Cray, Gifford, Gramlich, Kessler, Parry, Rielly, Rudnicki, Sayre, Worth.

Yes, 104; No, 35; Absent, 12; Vacant, 0; Excused, 0.

104 having voted in the affirmative and 35 voted in the negative, with 12 being absent, and accordingly the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE**.

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

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

THE SPEAKER: The Chair recognizes the Representative from Raymond, Representative Fay.

Representative **FAY**: Thank you Madam Speaker, I ask unanimous consent to address the House on the record.

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

Representative **FAY**: Thank you, Madam Speaker. On February 5th, my brother-in-law, Dan Cahill, passed away. He was 53. On June 16th, I had the pleasure of seeing his daughter, my niece, graduate from high school and attend his son's, my nephew's, 16th birthday celebration, which was also on Father's Day. Dan's memorial service was this past Saturday and I couldn't be there. I had remarks prepared to read at that service and since I couldn't read it there, I request your indulgence to read it now so that somewhere people would hear about how special he was.

Dan Cahill was all about the good things; the traditions, the things that matter. He was a connector, someone who always tried to bring people together in this frenzied life where no one seems to ever have enough of this thing called time. His loss has been a collective gut punch for us and has made us realize that time is really all we do have. We don't need to make time; we already have it. We just need to spend it right and not let it pass without doing the things that matter. In Dan's memory, please draw some inspiration from him. If you see someone today that maybe you haven't in a while, don't let this day be the last time you see them again for another long while. Do what Dan would have done, call them or text them, get together, grab something to eat and make plans to do it again. And when you do, please think about Dan. I know no one else here knew Dan but just remember him, connect with people you love, make traditions, do the things that matter. Do it for the ones that you love. Thank you, Madam Speaker.

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

On motion of Representative FAY of Raymond, the House adjourned at 3:12 p.m., until 2:00 p.m., Tuesday, June 27, 2023.