

MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE
FIRST SPECIAL SESSION
34th Legislative Day
Tuesday, June 27, 2023

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

Prayer by Honorable Mark Michael Babin, Fort Fairfield.

National Anthem by Honorable Tammy L. Schmersal-Burgess, Mexico.

Pledge of Allegiance.

The Journal of yesterday was read and approved.

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

SENATE PAPERS

The following Joint Order: (S.P. 841)

ORDERED, the House concurring, that Bill, "An Act to Protect Employee Freedom of Speech," S.P. 702, L.D. 1756, and all its accompanying papers, be recalled from the Governor's desk to the Senate.

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

READ and **PASSED** in concurrence.

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Hall-Dale High School Softball Team, of Farmingdale, which won the Class C State Championship, the team's 56th-straight win. We extend our congratulations and best wishes;

(HLS 534)

Presented by Representative SHAGOURY of Hallowell.

Cosponsored by Senator HICKMAN of Kennebec, Representative MONTELL of Gardiner.

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

READ.

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

Representative **SHAGOURY**: Thank you, Madam Speaker. Madam Speaker, I am so incredibly proud of this group of young people. They have done just a wonderful, wonderful job. They beat Bucksport by a very narrow margin, 2-1, in a very, very tough game a little over a week ago and for their third straight Championship and, as Rob said, the 56th straight game, they haven't lost. And, as I say, I'm just very, very proud of them and I want us all to welcome them here and congratulate them.

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

In Memory of:

Richard C. Dillihunt, of Portland. Dr. Dillihunt was a veteran of the United States Army. A medical doctor, he became a surgical resident in Portland after his military service, which led to a 40-year career at the Maine Medical Center. His passion and dedication led him to make many contributions in the area of vascular surgery, including performing the first kidney transplant in Maine in 1971 and training countless medical residents. A prolific writer, he penned numerous thought pieces on universal health care and was a staunch advocate for affordable access to medical care for all. Dr. Dillihunt will be long remembered and sadly missed by his wife of 62 years, Jeannette, his family and friends and all those whose lives he touched;

(HLS 537)

Presented by Speaker TALBOT ROSS of Portland.

Cosponsored by Senator CHIPMAN of Cumberland, Senator DUSON of Cumberland, Representative BRENNAN of Portland, Representative COLLINGS of Portland, Representative CROCKETT of Portland, Representative LOOKNER of Portland, Representative MOONEN of Portland, Representative SKOLD of Portland, Representative ZAGER of Portland.

On **OBJECTION** of Representative PRINGLE of Windham, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **PRINGLE**: Thank you, Madam Speaker, and Fellow Colleagues in the House. I will take a very brief opportunity to share a few comments about a friend and mentor, Dr. Dick Dillihunt. When my husband and I came to Maine in 1975 to practice in Portland, we were newbies on the block and Dr. Dillihunt had already been here in practice, I don't know, eight or 10 years. So, he was one of those teacher/mentor resources for us to go to. The other fun thing about Dick was that he had a flattop and as long as I ever knew him, he was the one person who always wore his flattop, never changed. He also always had a smile and he was also extraordinarily kind. As a primary care internist, I often referred patients to many practitioners and when I came, almost all of us were private practitioners, we weren't hospital employed at the time, and because I was on the teaching service, I often picked up patients who were working uninsured or Medicaid/MaineCare patients. And we always had a rotation, whoever was on call to the ER was the specialist that you would refer your uninsured patients to. And Dick Dillihunt never, ever rejected or would not care for someone and he always treated my patients who were uninsured with the greatest dignity and the highest quality medical care. I also knew him as a teacher and I just felt he was one of those people who really held the highest qualities of professionalism. And so, he was a role model and a dear friend and it was very hard for my husband and I to see that he passed away. Thank you very much.

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

The following item was taken up out of order by unanimous consent:

UNFINISHED BUSINESS

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

Expression of Legislative Sentiment Recognizing Joyce Rhoades, of Topsfield

(HLS 342)

TABLED - May 16, 2023 (Till Later Today) by Representative FAULKINGHAM of Winter Harbor.

PENDING - **PASSAGE.**

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

Representative **QUINT**: Thank you, Madam Speaker. This is one of the moments where I'm actually very excited to be a Representative because I get to speak about someone who welcomed our family to Maine. When I was 16 years old, we moved to Maine from Newport, Rhode Island, and it was quite a culture shock for my family. And Joyce Rhoades, while you just heard about the things she does for the town, I want to tell you about the beautiful person that she is. There's not a single person that has met her that she has not enveloped in her arms and loved and I think the greatest, truly, accolade that I could give to Joyce is I believe in God but had I not, I would believe that there was one because only God could create someone as beautiful as she is. Thank you.

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

ENACTORS

Acts

An Act to Reduce the Enrollment Requirement for Minor Political Parties That Seek Official Party Status

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

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.**

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

SENATE PAPER

The following Joint Order: (S.P. 842)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until the call of the President of the Senate and the Speaker of the House, respectively.

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

READ and **PASSED** in concurrence.

UNFINISHED BUSINESS

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

HOUSE DIVIDED REPORT - Majority (11) **Ought to Pass as Amended by Committee Amendment "A" (H-441)** - Minority (2) **Ought Not to Pass** - Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** on Bill "An Act to Amend the Maine Food Sovereignty Act"

(H.P. 1251) (L.D. 1947)

TABLED - June 13, 2023 (Till Later Today) by Representative PLUECKER of Warren.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

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

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

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

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

ROLL CALL NO. 341

YEA - Abdi, Adams, Albert, Andrews, Ankeles, Arata, Ardell, Arford, Babin, Bagshaw, Bell, Blier, Boyer, Campbell, Carlow, Carmichael, Cluchey, Collings, Copeland, Costain, Crafts, Crockett, Davis, Dhalac, Dodge, Doudera, Ducharme, Faulkingham, Fay, Fredericks, Galletta, Gattine, Geiger, Gramlich, Greenwood, Griffin, Guerrette, Haggan, Hall, Hasenfus, Henderson, Hepler, Hobbs, Kessler, Kuhn, Landry, LaRochelle, Lavigne, Lee, Libby, Lookner, Madigan, Mathieson, Millett H, Millett R, Milliken, Montell, Moonen, Ness, O'Neil, Osher, Paul, Paulhus, Perkins, Perry A, Perry J, Pluecker, Poirier, Polewarczyk, Pringle, Quint, Rana, Reckitt, Riseman, Roeder, Runte, Russell, Salisbury, Sampson, Sargent, Sayre, Shagoury, Shaw, Simmons, Skold, Soboleski, Strout, Supica, Swallow, Theriault, Thorne, Walker, Warren, White B, White J, Woodsome, Worth, Zager, Zeigler, Madam Speaker.

NAY - Boyle, Bradstreet, Brennan, Bridgeo, Cloutier, Craven, Cray, Cyrway, Dill, Dunphy, Eaton, Foster, Gere, Golek, Graham, Hymes, Jackson, Jauch, Javner, Lajoie, Lanigan, Lemelin, Lyman, Malon, Mason, Mastraccio, Matlack, Meyer, Moriarty, Morris, Murphy, Newman, Nutting, Pomerleau, Rielly, Roberts, Sachs, Schmersal-Burgess, Sheehan, Smith, Stover, Terry, Underwood, Wood.

ABSENT - Collamore, Drinkwater, Gifford, O'Connell, Parry, Rudnicki, Williams.

Yes, 100; No, 44; Absent, 7; Vacant, 0; Excused, 0.

100 having voted in the affirmative and 44 voted in the negative, with 7 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-441) was READ** by the Clerk.

Representative FAULKINGHAM of Winter Harbor **PRESENTED House Amendment "A" (H-702) to Committee Amendment "A" (H-441)**, which was **READ** by the Clerk and **ADOPTED.**

Committee Amendment "A" (H-441) as Amended by House Amendment "A" (H-702) 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-441) as Amended by House Amendment "A" (H-702)** thereto and sent for concurrence.

ORDERED SENT FORTHWITH.

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-605)** - Minority (6) **Ought Not to Pass** - Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act to Eliminate the Current Net Energy Billing Policy in Maine" (EMERGENCY)

(H.P. 861) (L.D. 1347)

TABLED - June 21, 2023 by Representative ZEIGLER of Montville.

PENDING - ACCEPTANCE OF EITHER REPORT.

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

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

Representative **ZEIGLER**: Thank you, Madam Speaker. Madam Speaker, we've been waiting for this bill. In Committee, we've been waiting a long time for this bill and it was a concept bill for quite a while and the title was "An Act to Eliminate the Current Net Energy Billing Policy in Maine." That was to eliminate it, not to fix it or not to move it so that it would still continue to support community solar.

We've also heard over the last few days in regards to a previous bill that lobbyists are waiting out in the hallway to waylay us and to twist our arms. Well, lobbyists are always out in the hallway and always willing to do that. And lobbyists have been moving this bill. They wrote this bill. And the reason we know that is the Amendment was sent with the person's name who wrote this from Preti Flaherty; yeah, I just mispronounced it. But, anyway, nonetheless, the lobbyist who has been pushing this bill is also the lobbyist for the natural gas in the State. So, as the people who have gone before to talk about the previous bill, they said that these lobbyists are grabbing people to move them? When we have somebody who represents natural gas, which has caused the increase in electric costs, then we should really, you know, think perhaps they have an agenda on that.

The other thing I'd like to talk about is they say that there's no contracts dealing with solar energy. If you have a community solar project, you have a contract and, in so, there are six higher education institutions that would be affected under the contract if they look at being able to retroactively look at contracts and change them. There are 27 municipalities that have projects going forward, community solar. There are 12 schools, secondary schools that have community solar projects going over that have contracts. There are 18 commercial and local commercial. Allagash Brewery is one, L.L. Bean, Luke's Lobsters. They would all be affected under their contract. And then we have 17 nonprofits that would be affected. So, to say that there are no contracts is not totally true.

Also, a sheet that was handed around today said that the previous bill would not reduce costs, so, we're comparing the two bills. But I can say their bill will not reduce costs unless you can prove otherwise. To say that without proof is misleading, I think. There's also an issue, and a confusing issue, about what would happen in 2044 in regards to solar rooftops. That language needs to be clear because that can go either one of two ways. In 2044, if you have a solar rooftop, you will not

receive anything under NEB, which means you will not receive credit for the kilowatts you've produced. That has to be cleared up but the reason it isn't cleared up is we've just gotten this Amendment. Where is the procedure? Where is the process? Where is the transparency? We talk about process, we talk about transparency, but it isn't here. This came in late and it came in unvetted. And so, I really think that we should not pass this bill at this time. Thank you very much, Madam Speaker.

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

Representative **FOSTER**: Thank you, Madam Speaker. Before I go to my prepared remarks, I would like to answer to a couple of the interesting charges, I'll call them, that have been made. First of all, this bill originated when I started looking at last fall what can we do about net energy billing. I put together some information, a bill, if you will, what I thought might start to address the issue. I actually passed that off to the Public Advocate's office, as I knew his office was very concerned about the cost of net energy billing that was on the horizon for Maine ratepayers. Between he and I and the input of others, but mostly the Public Advocate's office, the bill was written in the current fashion that this Amendment presents to this Body. The decision was made to use my initial bill, which was a duplicate of one that I had submitted in the 130th that would allow 100% relief for ratepayers from net energy billing by eliminating it. That, of course, did not pass in the 130th, nor did I expect it would in the 131st. So, we agreed that we should take this legislation we've been working on and put it on that bill, which is 1347, and is the present Amendment that you find we are talking about today. Now, this Amendment is a Committee Amendment, sponsor's Committee Amendment, that I brought forward at the first work session for the bill. So, I'm not sure how we could say that it's coming to us at the last minute because it has been available to the Committee and it has been available since that date, which I'm sorry I can't provide at this time. And, Madam Speaker, if anybody has any questions about what's in the bill, I would invite you to look at the summary, if you haven't already done so. I hope you have as it's as important as the issue that we're discussing here today.

Madam Speaker, contrary to what has been said and distributed on various mediums, 1347 with my Committee Amendment, titled "An Act to Reduce the Cost of Net Energy Billing for Ratepayers," which received bipartisan vote out of Committee Ought to Pass, will not end net energy billing. LD 1347 will save money. No other choice does. It changes the formula in the PUC, Public Utilities Commission, Statute and rules that makes net energy billing costs track increases in the cost of natural gas and other forms of generation. Madam Speaker, I hope this will allay the fear that the natural gas lobbyists have put forward this bill. With this bill, gas will no longer determine most of the price of NEB. Instead, the price will be set based on what a net energy billing developer actually invests. They are assured to recover their costs and they receive a fair profit on their investment. What could be more fair? Fair to them, fair to our ratepayers. This is similar to how the PUC regulates gas, water and electric utilities now when considering rate increase requests. Without this change, Maine ratepayers will continue to pay windfall profits, profits this Legislature never intended. That's why the current net energy billing price is going towards 25 cents per kilowatt hour for many projects, not the 4-5 cents for all other solar projects. Nobody intended that and it's because of the formula originally adopted and that we can change right here, right now. When former Representative Berry and the lobbyist from Natural Resources Council of Maine sat before the Committee fine-tuning LD 1711,

I'm not sure even they envisioned the windfall profits that 1711 would eventually provide.

Let's consider the opposition from net energy billing developers. They say basing their revenues on paying them their full cost and a fair profit will destroy their industry. Have they explained how? Wouldn't every Maine business like to be guaranteed recovery of its costs and a fair profit? How does this destroy solar expansion in Maine? The answer is it does not. We won't lose a bit of solar and all they lose are the windfall profits this Legislature never intended to create. It's been said that this bill doesn't save any money and nobody can prove it. How much will this bill save? At least 20%, likely more. The OPA and their office personnel, their analysis, backed up by the PUC who looked over their numbers, says up to 50%. Any of that is enough to truly matter to our ratepayers because they are getting hammered. And this is 20-50% of the \$220 million of cost predicted by the PUC, the OPA, the utilities and the Industrial Energy Consumer Group. The other choice reduces nothing off that amount, it just rearranges the debt shares. This bill saves money. That's why some so adamantly oppose it.

Madam Speaker, the existing price-setting mechanism makes no sense. Let me explain. The 2019 legislation said, start with the transmission and delivery rate for the smallest class of utility commercial customers. That class always has the highest rates. Take 75% of that cost and then add the full cost of the standard offer. The standard offer price basically tracks the cost of natural gas by generation, which provides on average 40-60% of our electricity. Added together, this is the price paid for net energy billing. So, when gas prices rise, so does the standard offer. Gas has nothing to do with solar; it's the opposite. When the standard offer rises, it drives up the cost of net energy billing. When the cost of NEB rises, any increase above market energy gets allocated to ratepayers in the T&D rates. Those increases, in turn, drive up the net energy billing cost. Then the do-loop starts again. Yes, it's a little complex, but I think we can follow it. Madam Speaker, what I want all of us to understand is that the price of net energy billing isn't based at all on the cost of net energy billing. Instead, it's based on exactly what solar and other renewables are trying to avoid; the cost in electric rates of natural gas and other fossil fuels. That's crazy. What's the point of pretending to escape the cost prison of fossil fuels? Let's escape the fossil fuel prison by choosing a different door. This bill is that door. If you compare this bill to other options, you can see that it has all the parts of other options, the good parts, and it has a cost saving component. It has the voluntary PUC regular power contract swap option but without net energy billing cost management, it's not likely to incentivize any reductions in cost. This bill also has the same future limitation of the smaller net energy billing 2-megawatt program, but that doesn't reduce any of the projected \$220 million rate increases by January 2024. The bill also empowers the Governor's Energy Office to find and accept federal monies but that is for acquiring more solar and won't be available to lower the impact of net energy billing solar. So, in its provision to limit net energy billing rates through developer cost recovery and a fair profit, this bill is our only cost reduction option.

Madam Speaker, we have the rare opportunity to see something unfortunate, perhaps even tragic, before it happens. Perhaps it's coincidence or just fate. Whatever it is, perhaps we can learn from it. For four years, consumer groups have predicted that net energy billing would impose unnecessary costs on Maine ratepayers. Unnecessary because we can have unlimited competitively bid solar for far lower cost. For four years, net energy billing supporters have universally denied this, arguing first that not that much would be built and the cost

wouldn't get out of hand, and then saying net energy billing somehow differs from other solar. Gradually, however, data collected by neutral parties and confirmed by the Public Utilities Commission showed increasingly that a gold rush of net energy billing projects came to Maine. More than 500 net energy billing projects sought agreements and interconnection. When the PUC projected the annual cost of even part of net energy billing projects coming online, 1,080 megawatts out of a possible 1,600 seeking interconnection, the probable costs soared to some \$200 million a year. When the statutory Maine Public Advocate tested those estimates, he agreed, and then Congress enacted the Investment Recovery Act, providing enhanced investment credits of at least 40% and up to 70%. This intensified that gold rush. All through debate on this legislation, net energy billing developers have criticized these estimates but have steadfastly refused to provide any of their own. Never have they predicted what ratepayer impact might be. Never.

Madam Speaker, when the PUC adopted stipulations recently for stranded cost recovery by Versant and CMP, NEB developers participated in the hearings and negotiations. They asked a few questions but did not object to the case outcomes. Note that the net energy billing developers did not protest PUC approval of \$120 million directly attributable to NEB in that rate increase. And that's just the first half of net energy billing costs. We are well on our way to \$220 million, by far the largest single cause of generated electricity rate increase in Maine history. But that isn't all. Those rates become effective for all of us and our constituents next week, on July 1st. This last week, notices went out to commercial and industrial customers of their increase in rates beginning July 1st. The rubber is hitting the road. Madam Speaker, I've had calls and emails, you may have had calls from some of those ratepayers as well. The increases are enormous for them; 17%, 30% and 38% depending on rate class. Many of these commercial ratepayers are shocked, they're incredulous, they're concerned about their business. How do you adjust your operation to compete against businesses in other states that don't have these energy costs? The choices are few and painful. Think of it, 18, 30 and 38% increases all due to net energy billing, all unnecessary if we had procured competitively-bid solar.

Madam Speaker, I've worked with Committee Members from the other side of the aisle to ensure those able to afford rooftop or backyard solar will still have the ability to participate in the net energy billing program. We've also worked to continue small community projects when those behind the meter use a portion of the energy that's generated, as net energy billing was originally designed for. This was the original intent of that net energy billing, to increase solar development. LD 1711 changed all that but one portion of the bill that was successful in expanding solar at the lowest possible cost was for competitively-bid solar. That program continues to see increased solar development at hugely reduced costs to ratepayers.

Madam Speaker, I ask that you join me in this bipartisan effort to allow further solar growth in Maine while reducing the harm being done to Maine residential and commercial ratepayers by defeating the pending motion so that we can pass the Majority Report and pass LD 1347 for the ratepayers and citizens of Maine. Thank you, Madam Speaker.

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

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

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

Representative **RUNTE**: Thank you, Madam Speaker. I think it's important to repeat something here. We're not here to argue existing energy billing. There is total agreement that the current method that links things to retail rates needs to change and needs to change soon. And both bills that have been discussed reduce ratepayer costs. They do it differently but they reduce ratepayer costs.

There's a lot of issues with this particular bill but I'd like to focus on one simple thing. This bill began life as a single paragraph meant to end distributed solar. When it finished the work sessions and was voted on with the Committee, it was six pages. It's currently around 12 pages, and all those six pages have had no due process. But, here's the thing, regardless of the number of pages, it's still exactly the same thing it was in the first place. It's a bill that in one paragraph severely limits distributed solar. And that paragraph is 3209-C. And if you look at that paragraph, you can find two things; it retroactively changes all existing projects, how they're compensated and that includes community solar and rooftop. And by doing this, it has commercial ramifications. Retroactively altering compensation for existing projects detracts from Maine's commercial reputation as a reliable place to do business. An investor would be foolish to take the risk of any project in the future but if they did, they would ensure that they had a risk premium on their financing to cover this risk. And we've already seen one example of it. Dirigo Solar, a Maine company, has seven projects in process and they've already been informed by their investor that \$50 million worth of financing will be regarded as in default if this bill passes. So, there are genuine commercial ramifications for what's going on here.

Now, on pricing, 1347 compensates projects by guaranteeing recovery of costs and a rate of return. As the Good Representative said, yeah, that is the way we regulate utility pricing. But we're talking about solar developers here. Do you really want your energy cost to be based on cost-of-service analysis? Why not market price? Why not what the actual value of that electricity is rather than guaranteeing some kind of return to any one particular company? And, furthermore, and I think I've mentioned this before, this approach to pricing deviates from where we really want to be long-term in the State, and that's pricing energy for what it's really worth.

So, 1347 severely retards, if not ends, most distribution-level solar in the State. It's directly contrary to where we want to go in terms of our long-term vision for the grid and we cannot achieve our climate action plan goals without both grid scale and distributed solar. I urge you to vote against this bill. Thanks.

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

Representative **WARREN**: Thank you, Madam Speaker. I rise in support of this bill and against the pending motion. I believe that the reforms proposed in this bill today are the right thing to do in our fight against climate change and the economic justice which I believe must be held at the center of this clean energy transition.

Maine has one of the highest energy costs in the country. As we question today whether to codify the NEB program before us today, our model of which is the most expensive in the country. We want community and residential solar development by and for Maine residents and it is this bill through which we can find bipartisan compromise which ensures stable fixed rates for the small scale and residential projects NEB was originally designed to support. We want to encourage rooftop solar for primarily on-site consumption by primarily the customer. That

is, unfortunately, not how the vast majority of these projects coming online have been designed. In some of these NEB projects this year cost as much as 25 cents per kilowatt, compared to the equally climate-friendly solar routinely purchased by the Maine Public Utilities Commission for less than 5 cents per kilowatt. And it is Maine ratepayers who have to pay for this significant price differential.

The promise of solar is as a low-cost renewable resource. The unintended consequences of 2019 legislation expanding the NEB subsidy have reversed that promise at the cost this year of \$135 million. This \$135 million annual cost on the books as of two weeks ago will go into effect July 1st and be multiplied by 20 years for all Maine ratepayers, which is the length of an NEB program term. And this program, without reform, will not stop at \$135 million; it is, in fact, projected to be an estimated as much as \$220 million per year by 2025 for an estimated future annual cost to ratepayers over the following 20 years by all major energy stakeholders in Maine.

This bill before us today is supported by the Office of the Public Advocate and its supporters include even the advocacy organization, AARP, who serves older Mainers across our State, many of whom are on fixed income and cannot afford the rate of subsidy we have unintentionally required them to shoulder as a consequence of this program without reform. Maine people deserve a just reform to this net energy billing program. We can and we must promote both renewable resources and do so while protecting Maine ratepayers. This bill offers that solution. I'd ask that you follow my light for this pending motion to ensure a just economical bipartisan reform to this program.

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

Representative **BOYLE**: Thank you, Madam Speaker. Madam Speaker, I rise in support of the Ought Not to Pass motion. You've heard it said here today that the Office of the Public Advocate has been an important player in this language of this bill. I started my conversations with him in January when I joined the Committee. I've continued those conversations up until May. And there was also another bill and the language in both came out in May, essentially, similar time. So, the conversations that I was having and others were having were consistently, for me, what I told him from the beginning, and others on all sides of the issue, is I want to help ratepayers, the program we have now does not do that, is not working, we need to fix it. And I maintained that. We need to fix it in a way that helps ratepayers and it will have an impact and cut back on the prices that solar developers get but I want to do it and I think we should do it to the benefit of the State so that we can maintain our process in the climate action plan of removing us away from fossil fuels over a long period of time, which is what the climate action plan does. Both bills essentially would do that. This bill does it more quickly, more drastically, in a manner that, in my judgment as a business owner, will be deleterious to the prospects for renewable energy here in Maine. Not the huge ones, not the 1000-megawatt projects, they're not really affected by this, guess what, those are major investors that are not in Maine as well. It will affect the smaller ones, the mom-and-pop type, maybe, that's got 20 employees, maybe they got a few hundred that are here in Maine. This will scare them off and that's why you're hearing from people. I had to choose between the two bills in Committee and that's why I chose to vote against this one and for the other one and I hope you'll follow my light and vote Ought Not to Pass.

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

Representative **DUNPHY**: Thank you, Madam Speaker. Madam Speaker, at the risk of being redundant all over again, I'd like to make some points. Rarely, rarely, rarely, rarely does this institution have an opportunity to correct mistakes in a timely manner. We made a mistake. We screwed it up, we didn't do our due diligence, we responded, I think, partially out of emotion, partially out of a need to do something, but we screwed it up and now we have a chance to correct those mistakes, to benefit our constituents, to benefit all ratepayers in the State of Maine. We have, as a result of our error, burdened our constituents to the tune of, in 2025, about \$221 million a year. About four to seven billion dollars over the length of these contracts. Democrats, Republicans, Independents, rich, poor, middle class, we're all paying the bill, we're all footing the bill for this.

There was conversation about local businesses; that the people who are coming here, Madam Speaker, are coming from the Philippines, from Switzerland, from Germany, from Canada; this isn't homegrown energy, this is insanity. We've opened a floodgate because we have created a bill that provides massive profits for solar developers. This isn't rooftop solar that we're talking about. Again, the impacts are estimated to be 20,000 for our hospitals, 15,000 for nursing homes, and I mean, you heard it all before but it hasn't changed, nor have the hired guns who are lining the halls. I heard a comment about the lobbyists. Yeah, the lobbyists are here and there's a lot of money to be made all the way around from this.

The unsubstantiated attacks on the Office of the Public Advocate should disturb everyone in this institution. They put themselves on the line, their staff on the line, doing exactly what we expect them to do. We expect them to protect the citizens of Maine and that's what they're doing. When all of this net energy billing started years ago, the Office of the Public Advocate came forward and said it was going to save millions of dollars. It wasn't this Office of the Public Advocate, obviously. We passed some legislation and it hasn't saved anything. It has hurt our constituents. We're not here, and I'm not lecturing anyone, I'm not challenging anyone's intentions, but we're not here to represent the solar industry or the wind industry or the paper industry. We are here to represent our constituents. And when we willingly and knowingly fail to pass legislation that in fact protects them, then are we not remiss in our duties, in our obligations, in our responsibilities?

You know, listen, I get it, we don't want to pull the rug out. This bill does not pull the rug out from those who we intended to be helping. So, I think there's a bipartisan approach to this and how much bipartisanship have we seen this year? I would suggest not a whole lot but here's an opportunity for us not only to create a benefit and help for our constituents but to do it in a bipartisan manner. So, I suggest that we not support this and that's it. Thank you, Madam Speaker.

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

Representative **CYRWAY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'm for the Ought Not to Pass motion and the reason behind it is; several reasons but this main one that I had to deal with for six months helping a farmer on their CMP bill was atrocious. It was about \$1,800 a month that they were paying for a 45-cow herd that they were milking. And so, I compared them with other farms in the area and another farm that had 30, I think, they were around \$300 a month, one with 800 cows was about \$800 a month, and there were some inconsistencies that CMP was charging in different farms. And come to find out, it's how they're set up. I spent six

months with CMP and the farmers, I went to the farmer's area and checked it all out, had an electrician that volunteered his time to work with me and we actually found out that they put a 400-amp meter on a 200-amp box and they took it from the residence and the barn, which the barn was commercial, the house was residence, and they put it all on a commercial one. So, when it goes commercial, if you reach over 20 kilowatts in one day, a \$500 demand fee instantly for the month, \$500 automatically. And so, you got the standard cost that they have to pay and they also have the usage cost, demand fee and there's other fees and also, now, we're going to have this net energy billing price.

And so, it all adds up and this is what I mentioned earlier about the farms. They're getting eaten up. Every time we do something like this, it's one more notch to get rid of them and we're doing it constantly for businesses. You heard about the ice cream business, you heard about other businesses and they're going to be hurting every time we do these things. So, all I'm saying, in a common-sense fashion, is we really should be doing is perfecting why everybody's getting different costs. I think if I did a survey around here, they may have the same size house that I have but they're paying either more or less and there's a reason behind it. I don't know what it is but there's inconsistencies. And so, I think we should've spent more time maybe getting a bill that would show maybe how our electricity is measured and be able to figure that out in an easy fashion. But I'm just saying that this bill does not work. It is actually adding cost to our businesses. So, that's why I am against this bill and thank you, Madam Speaker.

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

Representative **CYRWAY**: Thank you. I am for the Ought Not to Pass motion. Thank you.

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

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

The SPEAKER: The Member may proceed.

Representative **GRAHAM**: Thank you, Madam Speaker. Could anybody tell me what will happen to the six higher education program projects, the 12 school projects, the 18 commercial businesses, the 28 municipalities and the 17 nonprofits that currently have solar?

The SPEAKER: The Member has posed a question to anyone who can answer. The Chair recognizes the Representative from Fort Fairfield, Representative Babin.

Representative **BABIN**: Thank you, Madam Speaker. I will be brief. If we look at net energy billing; and, again, I'd like to focus on what is; I know there's a lot of talk about what's going to happen, how they're working on it and what's going to take place, but what is and I want to share just a brief summary on the increase in cost that will happen in July and one of the Maine farmers in Aroostook County, McCrum Farms, they have an increase that's projected for the next year of \$300,000; \$238,000 is attributed to net energy. And this is just one farmer in Aroostook County. And so, the increase is up, so, thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Waterboro, Representative Woodsome.

Representative **WOODSOME**: Thank you, Madam Speaker. I had not planned on speaking, nor do I have a prepared speech. In 2014, I was elected to the State Senate and I was appointed the Chair of EUT. I served on that Committee for four years. In 2014, I had no desire to be on EUT, but while I was campaigning in 2014, many homeowners,

farmers and especially in the northern district, along the New Hampshire border, I call them homesteaders, they were people who moved back into the woods off the grid and had no electricity. They encouraged me to support solar. And so, I came on and then, to my surprise, I was the Chair of the EUT. And I believed in solar and I pushed it. It was a hard battle for four years and we fought some heated discussions. I crossed over many times from my caucus to support solar and I agreed to net energy billing to help the homeowner with rooftop solar and small business and farmers. I had no clue and I felt guilty about my actions on supporting; and I can't even remember the name of it, the big solar bill, 11-something, where net energy billing grew into the monster it is today.

If people wish to pursue climate change and solar as a means of reducing fossil fuels, you cannot turn the general public, the ratepayers, against it. And I've heard more complaints this past year about how green energy is hurting people financially. You have to have the people with you. You cannot outprice their ability to pay their bills. The question has been asked what about the churches, what about the universities, what about this, what about that, education institutions. What about the Mainer? The taxpayer, the ratepayer? This bill, 1347, will make the adjustment that is vitally needed for the ratepayers and for solar power going forward. I hope my fellow Representatives here will think carefully on the vote. Doing a way of reducing net energy billing is not going to kill solar. It actually helps solar. Thank you.

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

Representative **GEIGER**: Thank you, Madam Speaker, Men and Women of the House. There isn't a Member of the EUT Committee that does not agree with the Good Representative from Waterboro. When we lose the public on renewables, we've lost everything. There is not a Member of the EUT Committee that does not disagree that this small subset of solar that took advantage of a mistake that this Legislature made in 2019 to tie their rate of return to the price of gas have to be reined in. We all agree on that. What we continue to argue about over these last months and weeks is how we do it.

Maine is incredibly unfortunate around energy costs. Most of our heat, more than any other State in the nation, is done with oil. Our electricity comes primarily from gas. Both those fossil fuels have proven to be highly volatile and, particularly since the pandemic ended, their prices have skyrocketed. These are the prices we are hearing about from our constituents. None of that has anything to do with solar. That has everything to do with the current price of gas. All of these people on fixed incomes, AARP that is terrified for its members, that is happening now, it has nothing to do with these projects. And as long as we remain dependent on gas and oil for heat and electricity, then we remain on this rollercoaster. So, how do we get off?

I received this Amendment, which completely replaces the bill, on June 20th. I received it in an email from one of the Democratic supporters of it. It has never come before our Committee, there's never been a public hearing on it, we haven't been able to take it apart, look at it, make sure it does what it's intended to do, which is the point of Committees. So, when I read this bill and when I talk to Maine solar energy companies, when I talk to environmental organizations who are deeply concerned about climate change in this State, what I hear from them is that this bill does not do what we are hearing it does today. It does not go after these small number of out-of-State large solar developers who are planning to take advantage of the prices that are connected to the cost of gas. Instead, it throws the baby out with the bathwater. It goes after them, it

goes after community solar, it goes after rooftop solar, it allows the PUC to change the price of any solar project that has ever occurred, that is in place now or that will occur. What that means is that when people are trying to decide whether to put solar on their rooftop or an affordable housing startup, whether they want to try and save those people from volatile utility rates so they'd like to do solar, the numbers no longer work. No one's going to loan them the money for this because from year to year, the price could be changed. From year to year, our net energy that we get for example, rooftop, you don't get paid for it, you're allowed to bank it. So, in the summer when you've got more than you can use, it goes into the grid and in the winter when you're not making enough, you get to take it out. Any more that you make than you use, you lose. It goes into a low-income fund run by the PUC. But if that's up for question every year, if instead CMP gets to use the extra that you make all summer and you pay for your energy, your electricity in the winter when you go to heat your house, no one is going to put solar on their rooftop, no community solar is going to happen.

This bill doesn't do what we need it to do. It goes way too far and I suspect that's because it was written by the gas lobbyists. We need to go back to the drawing board. We have a bill that is before the Senate now, we can come back next Session, we can work together because, as I said, there is not a Member of the EUT Committee that does not agree that the small number of large solar projects that got in under a mistaken bill in 2019 need to be reined in. Please vote this down. Do not kill our only hope of renewables that will get us out of this constant rollercoaster of high fossil fuel costs. Thank you.

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

Representative **FOSTER**: Thank you, Madam Speaker. I'm just going to rise to briefly make three points because we've debated this issue the last couple of days here at length and so, people will have to make up their own minds on who to believe. But first of all, let me tell you, the industrial energy consumer group who is involved in looking at numbers and working with the Public Advocate's office on some of this bill do not represent the natural gas industry in Maine. Lobbyists from Preti Flaherty do not. The natural gas industry had no hand in writing this bill.

Secondly, my good friend from Albion, I just want to make sure he understands that this bill will reduce the cost for dairy farmers and other farmers in the State of Maine.

And, last, in order to answer; and I lost who it was by now; the question that was raised by the Good Representative on the other side of the aisle regarding other solar projects that are already in place. This bill; and without knowing the size, the kilowatt-hour or megawatt size of those projects, I can't specifically answer the question; but this bill will allow rooftop solar, backyard solar to continue under the net energy billing program, as it also will allow small community solar, small towns, what have you; again, depending on their size, where that some of that energy is actually being consumed by the meter. What it doesn't continue to support through the outrageous monies that we're paying for net energy billing is the large megawatt projects that are being built, as I mentioned previously in this Chamber, where people are coming around to citizens like myself and asking them to join that project that is located miles away, has no connection to my home and I'm not using any of that power, probably. But I can join and get 15% off my bill while they enjoy the rest of the windfall profit from that program and I can let my neighbors pay for that. This bill will put an end to some of that. Thank you, Madam Speaker.

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

Representative **KESSLER**: Thank you, Madam Speaker. I figure you wanted to hear from every single person from the EUT Committee before we vote on this bill. I can't throw out numbers and figures. I'm just going to try to keep this as simple as possible here and as quick as possible. I can't support this bill because I think it goes too far, too fast. I think it's going to kneecap the companies that are investing in our workforce who are training the electricians, training people who are just getting started in this line of work and gearing them up for the next stage of building larger-scale solar that will not be under the net metering program. It's going to severely hamper that and I sincerely believe the businesses that are telling us this, that it's going to be a problem, I believe them when they say this. I think it's this bill and subsequent Amendments; and I know there's rules about not discussing other Amendments, but let's be real here; it's going to limit our ability to take advantage of some of the federal money that's going to be coming from the Inflation Reduction Act and there's going to be a lot of opportunity for investment in low- to moderate-income electric consumers and the restrictions that this and a potentially subsequent Amendment will put on that I think will limit the opportunity for us to invest in those people. So, for those reasons, I have to be in opposition of the bill and support this motion. Thank you very much.

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

Representative **DUNPHY**: Madam Speaker, thank you for allowing me to speak again. I do have some numbers. I heard about the war in the Ukraine driving the price of gas and it certainly has. But right now, wholesale power in Maine is 4.4 cents a kilowatt and we're using 53% of the generation is gas. So; and the war's still going on. So, that's partly true that that is a driver but it's also partly a result of the intermittency and unreliability of solar. I mean, you cut through the minutia, it's unreliable, we need spinning reserves, we need capacity generation and that's gas, coal or oil.

Secondly, if we don't take care of this issue today, if we don't take care of this issue now, when are we going to do it? Two hundred and twenty million dollars later? Two hundred and fifty bucks a year for our constituents to pay on their light bill? Some of the numbers from the Office of the Public Advocate, fewer than 32,000 of Maine's households will receive the above savings, that's 5.7% of the 559,000 households. Net energy billing will cost every Maine household \$275 a year for 20 years. My constituents, ladies and gentlemen, Madam Speaker, can no longer afford it. We're looking at 9% inflation rates, we're looking at the cost of doing business. I watched 660 paper workers become unemployed, not because of solar but because of high energy costs. Six hundred and sixty paper workers at an average pay of \$73,000 a year. Those were my constituents. Those were my friends, my colleagues, people who worked in the communities that I pass through. We don't want to do that again. We can't do that again. We're losing our workforce and now we're losing our businesses because of these high costs.

Any big project, net energy billing projects pay no local property taxes, saving them at least \$100 million a year. This isn't rooftop solar we're talking about, these are large projects. Developers' profit from NEB solar are likely to be at least; profits for these developers; \$80 million a year or up to \$1.5 billion over 20 years. That, ladies and gentlemen, is \$1.5 billion of the people who put us here to protect them. We need to do it and we need to do it now and I get it, I don't think it's going to hamper the rooftop development projects that the bill was originally

designed to stimulate, I don't see that happening. It's not going to impact, as far as I understand, the existing projects but it certainly is going to impact our constituents, the people who sent us here to vote and to pass legislation that protects them, that benefits them. So, I would suggest we kill this and move on with some bipartisan solutions. Thank you.

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

Representative **BOYLE**: Thank you, Madam Speaker. There is a lot of information going around and I'm trying to hear it carefully but I may have misheard one statement that was said that the Public Utilities Commission has confirmed an estimate from the Office of the Public Advocate of the savings that this bill would provide. I'm not aware as a Member of the Committee, that I have not seen or heard that the Public Utilities Commission has confirmed the OPA's cost estimate savings in this bill. So, I just want to clarify that as a member, I have not seen or heard that the PUC do that.

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

Representative **WARREN**: Thank you very much, Madam Speaker, and for the opportunity to rise a second time. I just wanted to confirm a couple issues that I have think have been risen just to provide clarity from my perspective on what this bill does. There are exemptions for municipalities, there are prospective limitations on the size of community solar projects, as well as for the owners of those projects how many projects they can have in total in addition to the customers themselves. But for projects that are mature and online and part of this program, my critique, why I strongly oppose the current motion and support this bill, is because the windfall profits are unjust. It is not the program, it is not the ability to have a reasonable profit, it is the windfall profits that ratepayers pay. And just to clarify what this bill does do and its limitations and its intentions, in trying to both promote renewables in a more scaled-down reasonable way prospectively and to control costs retroactively, to give small-scale solar projects the incentive to switch their project to a lower-cost option or to enter a competitive project as required through the Public Utilities Commission in this version of the bill. It does not keep building the expensive larger-scale solar projects but allows homeowners and small businesses to have onsite solar, so, solar that is primarily utilized onsite by the customer. It keeps electricity costs affordable so, that people will support clean energy projects in the future, which is one of the most critical pieces of this bill and the need of reform to me, to have the support and trust of the public I think is critical when it comes to climate change and I think it's what a just transition is all about. And, finally, of course, we must allow, and this bill allows for the Public Utilities Commission to continue to secure competitively priced solar to meet Maine's climate goals. Bottom line, I do appreciate and respect that there are a variety of views on this issue, I respect where people fall, but I hope that you'll consider following my light against the pending motion, in support of this bill.

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 did have three points and I only made two. The other one was that this bill, my bill, was handed out to Committee in the work session as a sponsor's Amendment. Although work sessions were scheduled for the 25th of May, the 31st of May, I do not

believe the bill came forward at that time but on June 7th, the Committee had this bill in hand. Thank you, Madam Speaker.

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

Representative **RUNTE**: Thank you, Madam Speaker. Just a very brief response to the Good Representative from Embden's comment about the added cost of supporting solar because of its intermittency. Last Thursday, the CEO of the grid operator for the six-state region, the Independent System Operator of New England, Gordon van Welie, testified at a Federal Energy Regulatory Commission hearing saying that even with additional wind and solar systems, everything was so well-balanced for the next five years, he made a point of crediting stronger-than-expected growth in solar power, fewer retirements of existing power plants and flat demand for electricity as part of the reason for this anticipated solid reliability for the next several years. Thank you.

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

ROLL CALL NO. 342

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

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

ABSENT - Collamore, Drinkwater, Gifford, Parry, Rudnicki, Williams.

Yes, 66; No, 79; Absent, 6; Vacant, 0; Excused, 0.

66 having voted in the affirmative and 79 voted in the negative, with 6 being absent, and accordingly the Minority **Ought Not to Pass** Report was **NOT ACCEPTED**.

The SPEAKER: The Chair would remind those in the gallery that outbursts in the gallery will not be tolerated.

Subsequently, on motion of Representative ZEIGLER of Montville, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-605)** was **READ** by the Clerk.

Representative WARREN of Scarborough **PRESENTED House Amendment "A" (H-714)** to **Committee Amendment "A" (H-605)**, which was **READ** by the Clerk.

The same Representative **REQUESTED** a roll call on the motion to **ADOPT House Amendment "A" (H-714)** to **Committee Amendment "A" (H-605)**.

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

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

Representative **WARREN**: Thank you, Madam Speaker. In presenting this Amendment here, I think it must be clear and certain and want us to be on the record that Maine people don't just deserve us to fight against climate change, they deserve us to do it in a way that is just and fair and reasonable for all. Maine people deserve a just reform to the net energy billing program. We must, we can, it is here, the opportunity to promote renewables and protect Maine ratepayers. This bill offers a solution that gives small-scale solar projects the incentive to switch their project to a lower-cost option, allows homeowners and small businesses to have onsite solar, keeps electricity costs affordable so that people will support clean energy policies and move with us in this move to a clean energy transition and, finally, it allows the PUC to continue securing competitively-priced solar to meet climate change goals. Getting to this compromise was not easy but I make this motion and I ask you to follow my light for the pending motion to ensure a just economical bipartisan reform to this program. Thank you.

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

Representative **FOSTER**: Thank you, Madam Speaker. I rise in support of the pending motion and ask you to follow my light.

The SPEAKER: A roll call has been ordered. The pending question before the House is Adoption of House Amendment "A" (H-714) to Committee Amendment "A" (H-605). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 343

YEA - Abdi, Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Bridgeo, Campbell, Carlow, Carmichael, Cluchey, Copeland, Costain, Crafts, Cray, Crockett, Cyrway, Davis, Ducharme, Dunphy, Eaton, Faulkingham, Fay, Foster, Fredericks, Galletta, Greenwood, Griffin, Guerrette, Haggan, Hall, Hasenfuls, Henderson, Hymes, Jackson, Javner, Lajoie, Landry, Lanigan, LaRochelle, Lavigne, Lemelin, Libby, Lyman, Madigan, Mason, Millett H, Milliken, Moonen, Morris, Ness, Newman, Nutting, O'Connell, O'Neil, Paul, Perkins, Perry A, Perry J, Pluecker, Poirier, Polewarczyk, Pomerleau, Quint, Rana, Riseman, Roberts, Russell, Sampson, Sayre, Schmearsal-Burgess, Sheehan, Simmons, Skold, Smith, Soboleski, Strout, Swallow, Thorne, Underwood, Walker, Warren, White B, White J, Wood, Woodsome, Zager.

NAY - Ankeles, Arford, Boyle, Brennan, Cloutier, Collings, Craven, Dill, Dodge, Doudera, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hepler, Hobbs, Jauch, Kessler, Kuhn, Lee, Lookner, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Montell, Moriarty, Murphy, Osher, Paulhus, Pringle, Reckitt, Rielly, Roeder, Runte, Sachs, Salisbury, Sargent, Shagoury, Shaw, Stover, Supica, Terry, Worth, Zeigler, Madam Speaker.

ABSENT - Collamore, Dhalac, Drinkwater, Gifford, Parry, Rudnicki, Theriault, Williams.

Yes, 92; No, 51; Absent, 8; Vacant, 0; Excused, 0.

92 having voted in the affirmative and 51 voted in the negative, with 8 being absent, and accordingly **House Amendment "A" (H-714)** to **Committee Amendment "A" (H-605)** was **ADOPTED**.

Committee Amendment "A" (H-605) as Amended by House Amendment "A" (H-714) 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-605) as Amended by House Amendment "A" (H-714)** thereto and sent for concurrence.

ORDERED SENT FORTHWITH.

HOUSE DIVIDED REPORT - Majority (10) **Ought to Pass as Amended by Committee Amendment "A" (H-676)** - Minority (3) **Ought Not to Pass** - Committee on **JUDICIARY** on Bill "An Act to Provide Remedies for Survivors of Commercial Sexual Exploitation"

(H.P. 932) (L.D. 1436)

TABLED - June 21, 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**.

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

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

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

Representative **POIRIER**: Thank you, Madam Speaker. Madam Speaker, this bill proposes to seal criminal history records for persons convicted of prostitution. My concern is that at the time of the charges and the conviction, the person knowingly committed a crime. This shouldn't be hidden. A crime is a crime. 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. 344

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

NAY - Adams, Arata, Ardell, Bagshaw, Bradstreet, Campbell, Carmichael, Costain, Cyrway, Davis, Ducharme, Dunphy, Foster, Greenwood, Griffin, Guerrette, Haggan, Hall, Hymes, Javner, Lavigne, Lemelin, Lyman, Mason, Morris, Ness, Newman, Nutting, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Swallow, Thorne, Underwood, White J, Wood.

ABSENT - Collamore, Dhalac, Drinkwater, Gifford, Parry, Perry A, Rudnicki, Theriault, Williams.

Yes, 99; No, 43; Absent, 9; Vacant, 0; Excused, 0.

99 having voted in the affirmative and 43 voted in the negative, with 9 being absent, and accordingly the Majority **Ought to Pass as Amended Report** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-676)** was **READ** by the Clerk.

Representative MOONEN of Portland **PRESENTED House Amendment "A" (H-716)** to **Committee Amendment "A" (H-676)**, which was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (H-676) as Amended by House Amendment "A" (H-716) 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-676) as Amended by House Amendment "A" (H-716)** thereto and sent for concurrence.

ORDERED SENT FORTHWITH.

REPORT OF COMMITTEE

Refer to the Committee on Veterans and Legal Affairs Pursuant to Public Law

Report of the **Joint Standing Committee on Veterans and Legal Affairs** on Bill "An Act Regarding Spirits Price Regulation"

(S.P. 836) (L.D. 2014)

Reporting that it be **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** pursuant to Public Law 2021, chapter 622, section 6.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS**.

The Report was **READ** and **ACCEPTED** and the Bill was **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** in concurrence.

ENACTORS

Acts

An Act to Expand Eligibility for Supervised Community Confinement for Prisoners with a Prognosis Likely to Result in an Incapacitating Medical Condition

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

(H. "A" H-715 to C. "A" S-388)

An Act to Support Extraction of Common Minerals by Amending the Maine Metallic Mineral Mining Act

(H.P. 877) (L.D. 1363)

(H. "A" H-576 to C. "A" H-384)

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)

(C. "A" H-569)

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.

An Act to Improve Maine's Reproductive Privacy Laws
(H.P. 1044) (L.D. 1619)
(C. "A" H-700)

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 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 Hodgdon, Representative Quint.

Representative **QUINT**: Thank you, Madam Speaker. I am opposed to the pending motion.

Madam Speaker, my Fellow Representatives and friends, I rise to speak with words too inadequate to express my feelings regarding 1619. This bill is so extreme that the mere thought of it being enacted crushes my very soul. How many of us in this Chamber know people who have given birth to premature infants or who have had them ourselves? Think of these precious ones and their struggle to survive. Each new milestone reached a victory. Many of us have celebrated their miraculous lives. This bill allows babies at this age group of viability to be killed. I repeat; to be killed at any time, for any reason. Truly, for no reason at all.

I am torn apart over this and I am undone. My mind wanders back to my childhood, back to when my baby sister was born prematurely. My sister survived and truly cheated death and its sting. Another baby born at the same day had a much different outcome. But this child's birth and death impacted my life forever. You see, this dear child was born without a full brain and would only live for a few hours after delivery. The nursing staff stuffed a bonnet and placed it on this baby's head. I witnessed a mother loving her dying child as she rocked, kissed and held her little one, cherished as it slipped from this life into the next. As an 11-year-old girl, I marveled at her unwavering strength and love.

Madam Speaker, allow me to take you back to my bill asking for a second opinion to be offered when an abortion has been discussed between a doctor and his patient. Remember my anguish at being given devastating news and being told that terminating my pregnancy would be the best option for myself, my husband and my child. Perhaps, Madam Speaker, for myself and my husband, but certainly not for my child if I had believed differently. Instead, I remembered that awe-inspiring woman who allowed her child to experience life, however brief, however painful, but most of all allowed her child to experience a mother's love, cradling and nurturing until the very end. I thought about the future. For me, there was no option. No one is guaranteed perfection. I could've had a normal pregnancy and delivery. I could've given birth to the most perfect child and had an automobile accident on the way home that could have rendered him to be as disabled as they were saying my son could be at birth. The difference would be one day. Would I not fight for his life for him to have a chance, every chance? The value of a human life defined by one day or one breath. Madam Speaker, you have seen my son walking these very halls. Each day, I know how blessed I am and I cherish every second because I get to know what I would've missed had I chosen a different path. Madam Speaker, Members of the House, I beg of you take heed. This bill goes too far. Please allow our most vulnerable ones the chance of survival. Vote against enactment and remember what a difference just one day can make.

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

Representative **SAMPSON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. You know, sometimes as debates unfold in this Chamber, testimonials with informative nuggets of information can slip by all of us. So, I'd like to just highlight one from the other night. The Good Representative and doctor from Windham gave this testimony about her friend, David, who was an OB/GYN doctor and she asked him the question, did you ever have a patient who learned late in the pregnancy that the fetus had anencephaly, which is no brain. And the response was, I was involved peripherally over the years with perhaps a half a dozen cases of third-trimester lethal anomalies at Maine Medical Center, either anencephaly; those babies with no brain; or renal agenesis; that means the kidneys didn't develop; and no amniotic fluid or lung development, usually while covering the high-risk pregnancy service; when the parents chose to, labor was simply induced shortly after the diagnosis was confirmed. The baby was delivered and the neonatologists were present for the delivery, no heroic resuscitative efforts were made and the baby was either born dead or died within a few hours of birth. Those are not called abortions *per se* but merely premature deliveries for nonviable pregnancies. The most notable was about a dozen years ago involving a woman diagnosed early in pregnancy with an anencephalic child; a child with no brain; but she refused multiple offers of a pregnancy termination, not willing to lose hope that her baby would be okay. She went to full term and delivered her child, who died shortly after birth, but she felt like she took the moral path and was able to mourn the baby's short life.

Now, this doctor's statement totally agrees with the opinion by our Attorney General on this same issue and this was a standing opinion up until 40 days ago. And it stated Maine Law also provides exceptions to the viability restriction to save the life or health of the pregnant person or in the case of a fatal fetal diagnosis. So, I ask this question in this Chamber for us all to consider, what is the moral of this story? Essentially, what we are talking about with this particular bill is already taking place now. This bill is not necessary. So, I would ask that we consider that or consider why are we pushing this if not for power, politics and Planned Parenthood, maybe? Thank you, Madam Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Palermo, Representative Smith.

Representative **SMITH**: Thank you, Madam Speaker. Madam Speaker and Members of the House, honestly, I'd rather not be standing before you. I am a Maine woman with a Norwegian father and we are not generally share-your-life kind of people. But it is this important that I stand here today. I stand here in opposition to 1619, not because I have this general feeling that it's bad to foster a culture of death but because I know the potentially horrible consequences that fostering a culture of death and blind trust in physicians can bring. If I believed in the omnipotence of doctors and their ability to correctly diagnose what will happen to a baby in the womb, my daughter, Emma Ruth, would be dead. My mini-me would not exist. Her talent as a seamstress, her amazing knitting patterns and ability to comprehend large mathematical equations would not grace this world. If my daughter's husband, Ben, had a mother who believed in the infallibility of doctors, he would not even be a vapor. A brilliant mind who just secured his first job at a fancy company with top security clearance, he would not be amongst us.

When I was pregnant with Emma, my first, I had a pain. It was a very sharp pain, I'll give you that, but there was no bleeding, no other indications of distress. I went to the doctor's as so many first-time mothers do when they are concerned and this is what my doctor said; your child will not be viable. We need to schedule an abortion tomorrow because the child in your womb is nothing, not a child, just a clump of cells. No tests. Not one test and he told me my child would not live. I walked away from that doctor feeling greatly unsettled but thinking, why is there a need to rush? Emma was born on August 28, 2000 and she is the apple of my eye. Years later, I posted about the situation and you know the shocking part; multiple women reiterated my story of the same doctor who tried to extinguish their children. Was he deluded? A bad doctor? Had he embraced the culture of death so much that he didn't even care?

My son-in-law's story was much more dramatic, as his mother was 27 weeks along when a military hospital told his parents he would be born with multiple heart problems, probably fatal, that he would not live outside the womb. Abort, abort, abort, they told his parents. His parents demanded a move to a different hospital and, as I mentioned, Ben survived. Ben married my daughter, someday Ben will be the father of my grandchildren.

Madam Speaker and Members of the House, doctors are fallible. They make mistakes. And with the ability to abort a baby up to moments before birth, the mistakes they make and the pressure they put on women to abort what they deem unviable will take souls away from our lives. Daughters, sons, eventually husbands and wives, mothers and fathers. I ask you to stand on the side of life. Let the Emmas and the Bens be born. Let them find each other, fall in love and marry. Let our children live. Please vote no on LD 1619.

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

Representative **WHITE**: Thank you, Madam Speaker, and Men and Women of the House. I knew my opposition to LD 1619 would not be popular with some. In fact, slander and intimidation has already begun. To me, this isn't about winning the next election, it's about upholding the dignity and rights of the human person. One doesn't have to search too far back into history to find examples when certain parts of the human family were deemed not fully human and undeserving of equal protection under the law. In recent decades, pre-born children were those being denied full humanity and equal protection.

We have one last chance to clarify the intent of the bill, LD 1619, and to specify the exact cases being put forward as needing legislative intervention. Those who are opposed to LD 1619 are caring and compassionate and want to support a mother who receives a fatal fetal diagnosis but cannot support the bill as written with its vague language. The vagueness puts at risk the lives of late-term, healthy, pre-born children. If that is not the intent of LD 1619, then we should vote this bill down and come back with a better bill.

Last week, I attended the funeral of a friend. In the eulogy from his grandson who he shared the following quote by Martin Luther King. I'm sure many of you have heard this; the ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy. I stand for dignity, for the dignity and human rights of all. Please vote no on the pending motion. Thank you, Madam Speaker.

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

Representative **UNDERWOOD**: Thank you, Madam Speaker. I'm Catholic and I'm pro-life and I aim to show my faith and if there's anybody on the other side; vote your conscience as Catholic. Thank you, Madam Speaker.

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

Representative **LANIGAN**: Thank you, Madam Speaker. I rise today in opposition to this bill and as a man, it's kind of really not my place to probably be even talking about this bill today. I mentioned before that I am pro-choice and, unfortunately, I feel that this bill is too extreme. It's one of the most extreme abortion bills that will be enacted in Law for a state in the entire United States and I don't know why Maine feels the necessity to be that State. It seems that we are putting a lot of effort into a situation that we already had a great law for some on the books and for many others, they would probably like to see more restriction, Madam Speaker.

We had a lot of testimony come before us, before the Judiciary Committee, and a couple of them popped out to me and though I'm not a very overly-religious man, I just felt that I should share a couple of these. I mean, we kind of limited their speech on the Committee hearing, so, if you would just indulge me for a couple minutes, I'd like to just read a couple of them, just to make sure that their voices are being heard as our voice here in the House is to represent them.

Thank you to the Committee on Judiciary. My name is; I'll leave the names out; I reside in Augusta. I am here to voice my opposition to LD 1619. In the name of the Father, the Son, and the Holy Spirit, amen. God does exist whether you believe he does or not. The passage of LD 1619 will lead you and all of us down the wrong path.

Now, you'll see a lot of testimonies here that will quote their religion. You will find a lot of testimony that will point to their beliefs and as I read these, I just want you to understand is we need to respect that. No matter how we feel. It might not be the way that when we leave this Chamber, we practice our own lives. So, I hope I'm not offending anyone, Madam Speaker, when I read these and, you know, if I step out of line, please correct me. Thank you.

I'm going to move on to another one. As a pastor, I've been tasked with the privilege and responsibility of directing and caring for people of all ages and walks of life. Part of this care involves endeavoring into the human condition of life and the basis for morality. Questions such as what is life, when does life begin and what is the ultimate basis for morality go beyond the scope of this testimony but how one answers these questions will affect their view on this bill. We all care about liberty and life. The disagreement sparking debate is a point where these two human rights clash. What is not debatable is the objective. Incontrovertible fact that LD 1619 would create even more allowances for harm, hinderance and destruction of human life, a pre-born baby. Murder is a crime, unlawfully and unjustifiably killing a person. None of us in this room would approve a law excusing the discriminate killing of adolescents, then suddenly accept a law as inherently lawful and right if it were to be passed by legislation. Yet this is what this Legislature is attempting to do here; permit the murder of pre-born babies and remove any accompanying criminal penalties. My wife and I lost our first daughter at almost 22 weeks of gestation. She was perfectly healthy but died from uncorrectable medical conditions and complications. We listened to Crystal's; Crystal was the name of their baby; heart beat slow and then felt the blast of the silence when it stopped. The next day, we held her in our arms. To say

she wasn't a uniquely human life is a denial of reality and an affront to every mother or couple who has experienced the real heartache of miscarriage, fatal complications from pre-term labor and stillbirth. I understand that you have your constituents, but I ask you to consider the door LD 1619 opens in our State. It may appear to open into a brave new world of absolute moral autonomy, a utopia where all people can do with their own bodies as they please, but this law's wording would also create a chilling precedent for moral autonomy. All people could do with their own bodies as they please with regard for other viable humans. Please deeply consider this bill's implications before swinging wide a door that, once opened, will not be easily shut. I pray you do what's morally right in the sight of one true God who will we all stand before one day, either clothed, covered by Christ's righteousness, or naked, fully exposed in our own sin and shame. You all remain in my prayers, by my name, and I'll leave that.

Another one I have here is; I have a Maine citizen. I oppose this bill that allows the unfettered killing of viable babies in the womb. As I was contemplating what I would say at this hearing today, it occurred to me, it is worth the time to speak on behalf of the 10s of thousands of Maine babies who have had their lives taken from them even before they were allowed to breathe the air or see the sunshine or even smell the fragrances of the Maine coastal waters or the pristine forests. Have all these Representatives made up their minds? Or perhaps one or two or 10 will be willing to listen.

I think if you read through this, I think all of us; I'm not allowed to show the book but I think we all got the book with all these testimonies in them and I think what it speaks to is, is that the opposition to this bill was a lot greater than the support. And as a Representative, I feel like we're leaving those voices of non-support out at the door.

I'm going to wrap this up for you, Madam Speaker. When I ran for office, I was asked this question a lot on the campaign trail and I'm just going to lay it all out here. I promised many constituents if anyone brought a bill before this floor to restrict the laws already on the books, I wouldn't be supporting it. But I also promised that I was not looking to expand it, either. I need to stay true to my word that I promised my constituents when I ran and doing the research and how far we've come as a country and how far we've brought women's rights, I feel this is a step backwards about 50 years and it puts us in a dangerous, slippery slope. The language in this bill is very vague, it does not get specific enough and, like the Great Representative from Waterville, I think we need to slow down. If we really want a bill that's really going to work, there's been Amendments proposed here on the floor that I might even support. But without those, I am a definite no and today I thank you, Madam Speaker, for allowing me to share those thoughts.

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

Representative **BOYER**: Thank you, Madam Speaker. Madam Speaker, I rise again to say that this issue, additionally, is more nuanced than either side of the aisle would like to say or admit, Madam Speaker. And I ran as a pro-choice Republican, which puts me at odds with most of my party; it's not the only issue, but that's okay. I think I came down on the pro-choice side because I truly believe, Madam Speaker, that we do own our own bodies; on this issue and on other issues, Madam Speaker. The Good Representative from Fort Kent said the other day and the Representative from Sanford just said, there's Republicans willing to support a narrowly-tailored bill that would prevent these stories that we heard when it comes to fatal fetal abnormalities and it's just really frustrating for, I guess, some of

these folks in the middle, if you will, to see that every effort of compromise has been rejected, that this bill is the way it has to go down and, you know, the Amendment with the language around standard of care just does not provide sufficient safeguards and I think the narrowly-tailored amendments that have been submitted do a better job of weighing these things. So, I guess it's just a last-minute plea towards the middle, towards compromise and to have a bill that can address the heartbreak that these families have dealt with while still respecting the sanctity of life. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Plymouth, Representative Costain.

Representative **COSTAIN**: Madam Speaker, Members of the House, I feel the following need to be said. As we sit here tonight and get ready to vote on this bill, I wanted to remind each and every one of us that there will be a Judgment Day someday and each and every one of us will be accountable for our actions. Thank you, Madam Speaker.

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

Representative **LIBBY**: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, we have heard comments, whether it be in testimony or us hearing from constituents and others, that there are physicians in our State, including in this Body, that support this bill. However, having heard or read most of the testimony in this book in front of me, I know that there are also physicians who are adamantly opposed. I've also had physicians reach out to me directly, knowing I was involved with fighting against this bill, who wanted to have their voices heard but had not known in time to testify.

One of these is Debra Sepulveda, MD, MPH. As a board-certified obstetrician-gynecologist with over 30 years of experience, I am writing to oppose LD 1619. The standard of care Amendment does not provide guardrails as argued by the proponents of the bill. No standard of care has been defined for late-term abortions. This Amendment adds no restrictions and it leaves indications no more narrowly defined than in the original form of the bill. Abortion at any gestation available electively at the discretion of the physician. I urge you to vote no on LD 1619.

I heard from another, Dr. Pauline Mills, MD. She said; I am a pediatrician and have practiced for more than 13 years, the last seven of which have been in Maine. Also, since becoming a U.S. citizen more than 20 years ago, I have always voted Democrat because I feel that the Democratic party supports my personal views to provide support to the needy, the sick and the poor. I have also supported a woman's right to choose, at least to the point of fetal viability. But I am alarmed at the most recent bill to expand access to abortions in Maine to include fetuses beyond 24 weeks. As a pediatrician, earlier in my career, my job was to attend high-risk deliveries and provide pediatric expertise to the delivery team. Also, a significant part of my pediatric residency was working within the neonatal intensive care unit, assisting in the care of very sick and premature babies. During that experience, I saw firsthand how babies as early as 24- and 25-weeks' gestation fought for life. My understanding about the current bill being proposed in Maine is to allow abortions beyond 24 weeks of gestation if it is deemed medically necessary; she's wrong on that note, only deemed necessary in the bill, not medically necessary; my fear as a pediatrician is that this vague definition will be abused. I can understand allowing the termination of a pregnancy beyond 24 weeks if the fetus is not viable, i.e. has a lethal genetic condition or a medical problem that is incompatible with life. And as we've heard from the Good Representative from Windham and her correspondence and have been reminded tonight by the Good

Representative from Alfred, that is already currently law and happening here in Maine. My fear is that the law will be abused to allow for abortions for less clear medical necessities such as the benefit of the mental or physical health of the mother. Now, wait, did I, as a physician, just say that the mental or physical health of the mother should not be taken into consideration? No. But let me explain. The gut reaction is to say that if a woman's health is in danger, she should be allowed to abort. This sounds reasonable, right, Madam Speaker? But as a physician and a pediatrician, I cannot think of a reason even in those circumstances why the baby cannot be delivered alive and given a chance at life rather than actively killing the baby. It takes time to abort a fetus and that fetus still has to be delivered. It takes longer to perform an abortion and then deliver the baby than it does to perform an emergency C-section, so even in circumstances where you are trying to save the mother's life, the time taken to kill the fetus could've been spent delivering the baby alive. Dr. Pauline Mills.

The one that was most compelling to me, Madam Speaker, was by Dr. Anthony Levatino, MD, JD. I am a board-certified obstetrician-gynecologist currently licensed in New Mexico and Arizona with over 40 years of practice and teaching experience. I received my medical degree from Albany Medical School in Albany, New York, in 1976. I completed a four-year residency in obstetrics and gynecology in 1980 and I became board-certified in 1982. In the course of my residency training and over several years of clinical practice, I performed over 1,200 first- and second-trimester abortions. I currently serve on the faculty of Burrell College of Osteopathic Medicine as a professor of clinical medicine. I have read HP 1044, LD 1619 in its entirety. It is my professional opinion as both a physician and an attorney that HP 1044 does not serve the citizens of Maine well, simply stating that the professional judgment of a licensed physician is inadequate to ensure the safety of patients seeking abortions in the State of Maine. In my practice of abortions in New York, my partners and I were faced with a hospital whose governing board ruled that only medically-necessary abortions would be performed at the hospital. Undeterred, we simply wrote on every medical record that in our professional judgment, the abortion was medically necessary and then we proceeded. Problem solved. The same could easily happen in Maine.

Madam Speaker, we've heard tonight and last week that the existing standard of care allows for the early induced labor and delivery of a baby with a fatal diagnosis. It allows women to choose early delivery or deliver at full term, but it does not involve a lethal injection. Madam Speaker, over the last year or so, we've heard the word extreme used so many times that I think it's started to lose its meaning. So, let's rewind to campaign season 2022. Millions of dollars were spent attacking the folks on this side of the aisle, insisting that we were extremists who were going to take away women's rights, that we're going to put forward bills to outlaw abortion in Maine. There were ads in print, on YouTube, on social media. I remember my husband telling me about an ad, and I saw the same ad, a woman in a canoe, rowing down the river with her daughter, supporting one candidate. And then watching another show, he saw the same ad supporting a different candidate. Saying that we were extremists, lying to Maine people, saying that we would vote away abortion as though that were in any way a political reality here in Maine. We heard from the current Chief Executive that she would not expand abortion. In fact, our previous Chief Executive in eight years didn't put forward a bill to restrict abortion in Maine. Lies, Madam Speaker. Lies spoken to Maine people in order to encourage them to vote out of fear.

Since then, it has become abundantly clear that we are not the extremists, Madam Speaker. We are not the party that has proposed extreme legislation. LD 1619 is the most extreme bill we've seen this Session, maybe this decade. Let's talk about what's extreme. Supporting LD 1619 is extreme. Saying that it's okay to kill a viable baby is extreme. Ignoring the clear will of Maine people is extreme. Madam Speaker, opposing late-term abortion isn't extreme, LD 1619 is. The hundreds of people that have been filling our gallery and our hallways, they have been here, making us run the gauntlet to get to the Chamber, because of how extreme this bill is. Maine people can put up with a lot, Madam Speaker, and they do, because they just want to live their lives and be left alone. But LD 1619, Madam Speaker, goes too far. It's time to kill this bill, Madam Speaker. What are we doing here in this House, the Peoples House, if it is not to listen to the people and do their will? Why are we here, Madam Speaker?

If I rewind to 2020, I ran because I didn't feel that my voice was being heard. In the 129th Legislature, I reached out to my Representative and my Senator for the first time and my voice was ignored. So, I ran because I wanted to make sure that my district's voice was heard here in Augusta. And I'll tell you, Madam Speaker, I vote against my party with regularity, when I believe it is in the best interests of my district and our State. Earlier this Session, *Bangor Daily News* called me an "againster" in relation to being both against Mills and my own party. And I'll tell you what, Madam Speaker, I take that as an extraordinary compliment because it means that I vote on the policy and not the party. The Good Representative from Waterville spoke the other night about voting our conscience, then our district and then our party. Nowhere on that list do I hear Planned Parenthood dictates, Madam Speaker. Let's listen to the people of Maine and vote against the pending motion.

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

Representative **ARATA**: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, it's so tragic that this unnecessary bill was sent to our House and pits us against each other so bitterly. It could stir hatred between us, but my mother and father taught me that the word hate is like a swear word and it has no place in my life. It would be incredibly hypocritical of me to say that I care about premature babies and their mothers who I don't even know, but to be hateful to those of you across the aisle who I work with every day. So, I hope that my words reflect the care and concern that I truly have for you. An evil man once said that if you repeat a lie often enough, it becomes the truth. You've been misled. The medical ethics code and the applicable standard of care don't prevent healthy babies from being aborted. The medical professionals who perform abortions believe that all abortions, for any reason, are ethical and meet the applicable standard of care. We heard this from multiple professionals who testified in support of the bill, including abortion doctor, Shannon Carr, who specializes in third-trimester abortions. She stated, quote, I am not to judge. Wait a minute, doesn't LD 1619 rely on the doctor's professional judgment? Can you see the disconnect here? In her deposition for a wrongful death lawsuit, she admitted to performing a third-trimester abortion of the healthy baby of a woman who was healthy; that is, the woman was healthy until the abortion killed her. Dr. Shannon Carr was licensed in Maine in spite of aborting healthy babies in the third trimester. The Maine Board of Licensure and Medicine has no rules protecting third-trimester pre-born babies when the intent is to abort them. There's no standard of care to determine when an abortion is necessary. Be curious. Look it up for yourself. Know what you're voting for.

You know, pretty soon, our political careers will be over, our key cards will be deactivated, important people won't return our phone calls, we'll go back to our regular lives and we'll have to live with the decisions that we have made here. If you have the slightest doubt about this bill, simply vote no and the abortion laws that you said were satisfactory during your campaign will continue. You know, there is one thing that I do hate. I hate when my friends are misled and I'm so sorry to have to tell you that you've been misled. Thank you, Madam Speaker.

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

Representative **STROUT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition of the pending motion but it's probably a little different than the rest of my caucus. I am very my body, my choice, and I believe there's actually good that comes out of Planned Parenthood. When I graduated from the taxpayer-funded system at 18, I had no insurance and Planned Parenthood allowed me to have birth control and physicals that made sure that I was healthy. I think that people have to make really, really tough decisions and you guys don't know me very well. Six months ago, you never even knew my name, but I think you know my son means the world to me and I can't imagine life without him. And today's his birthday. He's 16. And I'm here talking about trying to figure out if babies should live.

I really think it is a person's choice and I think, more importantly, I don't have to be able to know all their choices and that they have to live with decisions that they make for them and their body. I appreciate everything that everybody has said and I'm sorry everybody is going through what they've gone through but for me, I can't support this bill because of the women that fought for their rights in *Roe v. Wade*. They marched and they had the right to have the decisions that they made taken to place and a place that was performed by a doctor, it was safe, it was sterile, they had a chance of living if there were complications. And this bill, in the last section, says finally, this bill removes the criminal penalties for performing an abortion without being licensed as the physician, physician assistant or advanced practice registered nurse. And, to me, that takes away women's rights. It takes away the opportunity for them to make a tough decision that they have to live with and be able to go and have it completed at a place where they're safe, that they possibly can have children again in the future should the time arise and they're ready for that, and I just don't think it's fair to go back and take away those options. Thank you.

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

Representative **DUCHARME**: Thank you, Madam Speaker. I rise in strong opposition to this bill. It's so abhorrent for me that I refuse to use the term, and in my testimony that I submitted, I changed the term to killing a baby as a more accurate term throughout my testimony.

First, the bill title is really a red herring. The bill title is "An Act to Improve Maine's Reproductive Privacy Laws." I spent 20 years in banking, I know what privacy laws are all about. So, I looked up the forms. It changes the reporting from using a United States Standard Report of Induced Termination of Pregnancy to some unnamed report that will be prescribed by the Department at some future date. The report must include certain data but may not include any identifiable factors. For the record, the "United States Standard Report of Induced Termination of Pregnancy" contains all of the required data while maintaining the privacy of the patient. So, it is unclear as to what the improvement will be with respect to reproductive privacy laws.

Maine Law currently allows babies to be killed up to 20 weeks for any reason at all. After 20 weeks and up until 24 weeks, the killing of a baby may only be done to preserve the life or the health of the mother. Despite her statement to the contrary during the campaign, the Chief Executive has proposed a bill that will make Maine one of the most permissive States in the U.S. for the killing of a baby. If LD 1619 passes and is signed by the Chief Executive, Maine will permit the killing of innocent babies right up until birth for any reason. Most medical professionals consider 20 weeks gestation time viability as defined by State Statute. This bill proposes to remove that language, necessary to preserve the life and health of the mother, as the current guardrail for killing babies after 20 weeks.

As a 65-year-old man, I'm told that because it won't affect me, I shouldn't voice my opinion on this subject. Madam Speaker, if I can't stand up and speak for these babies, who will? I have to say that as a Christian, a Catholic, as a father of two, a grandfather of eight with a ninth one on the way, I have an opinion. I believe that there will be a special place in Hell for those who promote or support this behavior. Think about this the next time --

Representative **ROBERTS**: Point of Order.

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

Representative **ROBERTS**: Point of Order, multiple ones, questioning the character.

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

The SPEAKER: The Chair would remind the Member not to question the motives of other Members in this Chamber or to impugn their character.

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

The SPEAKER: The Member may proceed.

Representative **DUCHARME**: Thank you. Think about this the next time anybody rails about the kids being murdered in DHHS custody. Think about the 2,000 babies a year killed in Maine using Maine taxpayer dollars. That's five murdered Maine babies a day. Five precious children who no one knows what their lives would produce. Please oppose the motion.

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

Representative **HAGGAN**: Thank you, Madam Speaker, and Members of the House. I'm a little bit shaken on the inside, so I will do it. I'm a teacher of 33 years, as you guys know, because I say it every time I stand up, and I love kids. It's my life. I hang around with them. When my son was born, years and years ago, came out of a goeey, ugly mess and the doctor said, you want to cut the cord? And I've dressed out a lot of deer in my day, I said no, that's okay, you go ahead and do it. And then the nurse said isn't he beautiful? And I said no, God, he's gross, he's disgusting to look at, he's all goeey. But he was mine.

As a teacher, a popular teacher, I'll pat myself on the back, we're allowed 25 kids in the classroom and kids will come and want to take my class. Do you have another chair, Mr. Haggan? You got one more seat for me? I'd love to have your class. I never say no. My record is up to 44 so far. And I'm hoping that, in one way or another, we can kill this enactment so that I can have more kids in my class and I will never say no. Thank you.

The SPEAKER: The Chair recognizes the Representative from Falmouth, Representative Kuhn.

Representative **KUHN**: Thank you, Madam Speaker, Esteemed Colleagues. I rise in support of the current motion. I wanted to offer some additional information on some assertions that we've heard for Members' consideration. First, we heard that abortions later in pregnancy are already permitted in the case of fatal fetal anomalies. I wanted to clarify that that is not the case. Immediately after the *Dobbs* decision, there was a one-pager up on the website at the Attorney General's office that stated that that was incorrect. It was subsequently taken down and that is why we heard stories of Maine women who traveled out of State to receive this care, because it is not currently permitted in Maine. That is who this bill is attempting to provide an avenue to.

Second, I wanted to address the concern that the bill decriminalizes the unlawful practice of medicine or unlawful abortions. It does not do that. That last paragraph contains a reference to where that is already a crime in the criminal code. It does not decriminalize.

Finally, I just wanted to say something about the standard of care because I know that's been a concern for some of our colleagues and I wanted to clarify. This is a letter from the *Sun Journal* written by Dr. Erik Steele, Yarmouth, President of the Maine Medical Association addressing this topic and he says standards of care do, indeed, exist that are interpretive guidelines developed to assist medical practitioners. Standard of care deviation on a case-by-case basis must be agreed upon by the physician and the patient. Any deviation from commonly-accepted standards should be evidence-based and clearly explained in the patient's medical record or it could result in disciplinary action by State licensing boards under existing Laws and laws made by State legislators, lawsuits or criminal charges. So, I hope that that clarifies for my colleagues that the standard of care is a real thing, it is enforceable and it includes, ultimately, penalties for violation of that standard of care. I support the bill as it is because it provides discretion for providers and patients to make these private decisions together. Thank you, Madam Speaker.

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

Representative **BRADSTREET**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I certainly wasn't planning on speaking on this but sometimes, things just prompt you to do so. When I first ran for office, I had a friend I was meeting with and he kind of feigned to be a reporter and he said Candidate Bradstreet, where do you stand on abortion? And this thing just popped out of my mouth all at once, I don't know where it came from, but I said I'm pro-life, just like your mother was. And we both stood back a little bit and he said wow, you know, you're right. Each one of us here had a mother who gave us life, allowed us to have life, and I'll always stand behind that. I've been against abortion for a long time. Something that cemented it in my mind was when I saw an ultrasound of a baby being aborted and that really disturbed me. But, you know, the way things have been, the status quo, I think we're all willing to let that go. Now, with this bill, regardless of what people may say and assert, that baby now will have a face. It'll have somebody's granddaughter's face, their son's face, so much more than what we think it is.

Madam Speaker, I'm pro-life but I know I'm in a minority. Most people do not agree with me on my view of abortion. As a matter of fact, in yesterday's *Wall Street Journal*, there was a quick reference to a report that nationwide, 69% of people are in favor of abortion during the first trimester. During the second

trimester, that reverses, 55% say it should be illegal and only 37% say legal. It didn't refer to the third trimester but I can imagine what that must be. Madam Speaker, as I said before, I'm in the minority, but you know something, everybody who supports this bill is also in the minority because most people in Maine do not like this bill. It is too extreme. Maine people are moderate. They don't want things like this to come before them. And I can't imagine, you know, it's easy for me to vote against this bill. I know I have some friends across the aisle, it's not going to be easy for them to do that. But I would urge them, check your conscience. The way you vote on this will follow you the rest of your life. You'll be recorded the way you vote. Your clear conscience and your liberating conscience will also be with you for the rest of your life. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Plymouth, Representative Costain.

Representative **COSTAIN**: Madam Speaker, I'd like to pose a question through the Chair.

The SPEAKER: The Member may proceed.

Representative **COSTAIN**: I would like to know how we can kill babies at full term but people; and not be charged with murder but people that get in an automobile accident with an OUI, we're charging a mother and a baby, for two murders, if the baby is eight months, seven months old. I'd like to know what the difference is.

The SPEAKER: The Member has posed a question through the Chair to any Member who wishes to respond. The Chair recognizes the Representative from Livermore Falls, Representative Lyman.

Representative **LYMAN**: Thank you, Madam Speaker. I will do my best and if I sit down, forgive me and move on. This message is about embracing life and I would like to introduce this House to my little boy, Kendrick Brett Lyman, who came early, came small and I wouldn't trade the 10 days that I was given with him for anything in the world. I read something that helped me through; We shared your moment, you touched our lives forever. Thank you.

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

Representative **ALBERT**: Madam Speaker and the House of Representatives, I'm not a speaker and I'm not prepared for this but conviction tells me I need to say something. We gather together here daily or whenever the schedule calls. What do we do first? We pray. And we pray to who? This is the God that said when Moses asked who are you, what is your name, and God answered I am who am. Think of that for a second. I am who am. Further on in Scripture; and excuse me, I'm not here to give a scriptural teaching here; but these are all things that I think we live by. We gather together, we pray together here in the House and in our own private churches. Then again further on in Scripture, there's God who I assume everyone knows and I know they do is a God of love, he says before you were born, I knew you. Think of that for a second. I have eight grandkids and three great-grands and they're all precious to us. One more is very precious, it was a miscarriage. And they respected the fetus as much as they gave it a proper burial even at three months. But this is faith. We can make decisions, I suppose, and not take faith into consideration but I don't know how one can do that. I suppose one can, I can't. I am definitely against this bill for matters of my wife says Roger, you need to get to church more often and, man, I have the Livermore faith, and I suspect she's right. But, however, I do stand on my beliefs, I intend to, and I will oppose again this bill. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Henderson.

Representative **HENDERSON**: Thank you, Madam Speaker; well, Madam Governor, Madam Secretary, Madam Chair, all the things that you've been called over the last few weeks. Here we stand again for what probably feels like the bottom of the 12th inning, or at least the fourth round of this. And I really stand before the Body a little troubled with the process and to keep the Good Representative from South Berwick from having to do legislative calisthenics, I'll do my best to stay germane.

The process last week was troubling and a lot of what happens in this House has been troubling to me. But for the sake of the bill itself, I'm mostly concerned with statements that were made today in arguments about LD 1619. First; well, maybe I'll get to that second. We heard this morning a gross inaccuracy that this bill has three profound safeguards and three necessary safeguards. The first safeguard being is that in order to get an abortion, a post-viable abortion, that it has to be at the advice of a licensed medical professional. I would hope that any medical procedure that's deemed legal in the State of Maine would be okay. Second was that a physician has to abide by the standards of care. I would hope that in all medical procedures, a physician has to stand by the standards of care. And in response to disciplinary action being taken if someone does not abide by those standards of care, it's really great that there's malpractice; there's a process for malpractice suits but in the case of post-viable abortions, a child is already dead. If that abortion was done in an improper manner not according to the standards of care, there's already a life that's been lost. This isn't a knee replacement. We're talking about an entire human being. And, finally, the last statement that was made that was probably most concerning was that the recommendations have to be medically necessary. Nowhere in the Amendment does it state or does it preface the word necessary with medically. Meaning it opens it up if a physician deems emotionally necessary, psychologically necessary, financially necessary, as well as physically necessary.

I wish that intent was the only thing that mattered when it came to us writing legislation, but it doesn't. It would make our jobs a whole lot easier. I know at this point in the Session, a lot of us are feeling pretty beat up, maybe some more than others. But part of that is because intent matters but that's not always the outcome. The outcome of this bill, although potentially well-intended; I would say the Amendment is probably more well-intended than the bill itself; it does not accomplish what it set out to do and that is if children are suffering in the womb, post viable, or post viability, that that pregnancy can be terminated. From what I'm understanding from the argument, that is the intent. Post-viable pregnancy, a suffering child that is not going to live, how can we help end that suffering. That is a very narrow window and yet, we have a huge door that opens up the possibility for full-term, fully-viable, healthy human beings to be terminated. We've heard testimony from women who had pre-viable abortions, young women, 20, 30 years old, who said my abortionist never told me what to expect when that pregnancy tissue came from my body. I did not know that it would have fingers and toes. I did not know it would have a head. I did not know it would be in the shape of a human being. If there's that amount of misinformation being given to these women who are currently having abortions, what are we opening ourselves up to here in the State of Maine?

My spiritual beliefs have no place in this current argument. I am not arguing on when we believe or when I believe life begins. This bill is morally wrong. It does not do what we're

being told it does. It does not focus on children with fatal fetal diagnosis. Whatever a medical professional deems necessary and then they just have to do their job right for the standards of care. It seems pretty open to me. Thank you.

The SPEAKER: The Chair recognizes the Representative from Lebanon, Representative Adams.

Representative **ADAMS**: Thank you, Madam Speaker. I rise not today as a Republican or Democrat, I rise as a father and a grandfather. And what I want to do, I know there's cameras here, so, there's been a lot of coverage about this abortion bill, limited at best. What I want to do is I want to read the summary of what the bill says, the last two pages, aloud, and I'm going to do that. And then, bear with me. The bill changes the standard for when an abortion may be performed after viability to when a licensed physician determines that it is necessary instead of when it is necessary to preserve the life and health of the mother. So, we had a couple doctors speak about it and I believe what they said. However, the final line of the summary on this bill says this bill removes criminal penalties for performing an abortion without being licensed as a physician, a physician assistant and advanced practice registered nurse, and for performing an abortion after viability of the fetus when it is not necessary for preservation of life or health of the mother. So, I believe that doctors wouldn't do that but this removes all liability from anybody to do it. That's what this says. This amounts to nothing more than what they used to call alleyway abortions.

So, with that said, I think it's important to understand the name of the bill, like the Good Representative said, this is a red herring. This bill should be called nothing more than the baby purge because that's exactly what it is. It allows anybody to get a full-term abortion or perform a full-term abortion without even being licensed and without any criminal penalties. I think it's wrong. I mean, it's common sense and that's silly. So, I'm going to vote against this and I hope everybody votes against this and actually reads the fine lines on this. There's an old saying, the devil's in the details, and you really need to look at them details. Thank you, Madam Speaker.

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

Representative **THORNE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Madam Speaker, our Father which art in heaven, hallowed be Thy name. Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread and forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation but deliver us from evil. Amen. Thank you, Madam Speaker.

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

Representative **CARMICHAEL**: Thank you, Madam Speaker, Men and Women of the House. It has been my privilege to pray in front of this Body twice this Session and it was a privilege and the thing I ask for most of all when I prayed was wisdom. Wisdom for this Body. I had a prayer session every day before session, we met and we prayed, people from both sides of the aisle come and the one thing I prayed for then was wisdom for this Body. I don't pretend to have the words to say to change anybody's mind because this isn't really a decision you're going to make with your mind, this is a decision we'll each make with our heart and I just ask each one before you make that decision to search your heart and make sure it's one that you can live with. Thank you, Madam Speaker.

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

Representative **BAGSHAW**: Thank you, Madam Speaker. When I was running, like the Good Representative from Auburn mentioned, I was attacked repeatedly with things that were not true. They had commercials about me with a canoe that I was going to singlehandedly end abortion in the State of Maine, and I had no intention of changing our very strong abortion law. It was very upsetting, very upsetting, but what is even more upsetting is what we're about to do. It's horrific to me. So, I would ask you to dig down deep and if you oppose this bill at all, please have some courage to vote no. Thank you.

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

Representative **CAMPBELL**: Thank you, Madam Speaker, and Ladies and Gentlemen of the House. I rise this evening to talk about life and death.

You met some of my family the other day. Chad, with his two sons, who's 46, and Connor, one of; two of my twin sons, who's 35, and they had their sons. When our oldest was growing up, my wife was driven to have more children. So, it wasn't going well so we heard of this relatively new program at Yale-New Haven, *in vitro* fertilization. So, we went, mastered all the requirements, and three eggs were fertilized. At that time, all fertilized had to be reinserted. So, we watched those cells develop; two, four, eight, 16; and were very excited about triplets. Wow, three at once. We got close to midway in the pregnancy and about 15 weeks, my wife found that she probably couldn't carry them to term. So, we did all we could. She was on the sofa for two, three, four weeks, bought a hospital bed so she could find a way to come to term. Well, it wasn't to be. At 19 weeks, she delivered three beautiful boys. Those beautiful boys lived in her hands until they died.

So, when I came to the Legislature, we had eight abortion bills and I told this story and then I recalled it to her and I talked about how they died in her hands. But she said you forgot one thing. In order to have died, they had to live. That was 19 weeks. We went on to *in vitro* fertilization at Yale-New Haven four more times and the result of the fifth time walked down this aisle the other day. That was 19 weeks. Abortion until birth is just not right. It's not acceptable for the people of Maine and it's not acceptable to God. Thank you, Madam Speaker.

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

Representative **LEMELIN**: Thank you, Madam Speaker. I did everything I could to sit on my hands. I really did. But I can't. I have a young man, my son, who was born with special needs and everybody wanted him aborted. I cannot imagine my life, the last 27 years, without him. He has changed more peoples' lives than I could ever do in a hundred years.

This bill is not about protecting the baby from pain or a baby being born without a brain. This is not about helping a suffering baby in the womb. This particular bill is not about a woman's right to choose; my baby, my choice. This bill is not about this being the choice between a doctor and a woman. And this bill is surely not about health care. These statements are called self-justification. Planned Parenthood and other organizations since 1961 has been using these terms and many others to convince all the people how to self-justify voting yes on abortion. What this bill really is about are two things. One, this bill is about blood money for Planned Parenthood. The second thing, this bill is about the ability to have unlimited sex and have a way out if things just don't turn out the way you want it.

What I would like is for this bill to be tabled and then I ask all my friends across the aisle, very nicely, go home; it's a very simple request and if you do this request and then you come back here and you vote yes, I'll be fine with it, 100% fine. And that request is that you go home and you watch one video. One video, that's all. And that video will be an ultrasound-assisted abortion. I want you to watch as the practitioner puts the ultrasound wand on the baby, on the mother's tummy, and you see this thing that many people across the aisle have told me, A; is not a baby and, two; we're saving babies from suffering in the womb. That's what I was told. Well, I want you to see this baby in the womb. It has a head, it has arms, fingers, toes, feet. It's alive. Now, in an ultrasound-assisted abortion, you get to see this thing that a lot of people don't want to call a baby kicking, screaming, crying, fighting for its life as the doctor rips the first leg off it, then the second leg, then the arms; and the baby's still alive, you can see its face, kicking and screaming, fighting for its life. But you want to save the baby in the womb from pain? Are we serious here? Watch an ultrasound-assisted abortion. Watch the pain and suffering that that child goes through so that you can have a way out and call it health care. Call it a choice. I'm here --

Representative **SALISBURY**: Point of Order.

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

Representative **SALISBURY**: Thank you, Madam Speaker. I would like to have you remind the speaker to speak directly to you and not to other Members.

On **POINT OF ORDER**, Representative SALISBURY of Westbrook asked the Chair to remind Representative LEMELIN of Chelsea to address the Speaker and not turn to the rest of the House.

The SPEAKER: The Chair would remind the Member to direct their comments to the Speaker, to the Chair.

The Chair reminded Representative LEMELIN of Chelsea to address his comments toward the Speaker.

The SPEAKER: The Member may proceed.

Representative **LEMELIN**: Thank you, Madam Speaker. I thought I was talking to you. I apologize, Madam Speaker. I should've waited till you got off the phone.

The SPEAKER: The Member will defer. The Chair would remind the Member that this is not a back-and-forth on whether or not I am on the phone or I'm drinking water or I'm still at this rostrum. The Member directs comments directly to the Chair. And if you'd like to have a discussion about it, I can put the House at ease and we can do that. The Member may proceed.

Representative **LEMELIN**: Thank you, Madam Speaker. So, Madam Speaker, I would like for you to please watch an ultrasound-assisted abortion and I would like for you, please, to not call that health care. Please don't sit there and say to me that you care about the pain the baby is having in the womb or that the baby's going to be born without a brain, when it's okay in your mind that a baby's legs and arms are ripped off their body while the baby is kicking and screaming and pleading for its life, begging you to not do this. Thank you, Madam Speaker.

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

Representative **CYRWAY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. You know, I've been listening to the whole thing today and I know there's a lot of emotions and I've dealt with a lot of emotions in my time as a law enforcement. And this bill, it seemed like it was about choice and, you know, as a law enforcement officer, when we see there's a situation and we're trying to save a life, we don't have

a choice; we have to serve and protect. That's our job. And as a parent, I felt the same way. And this is all I'm asking is to be that person to serve and protect. Thank you, Madam Speaker.

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.

The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham, and inquires as to why he rises.

Representative **FAULKINGHAM**: Madam Speaker, I object to suspending House Rule 501, doing business beyond 9 p.m.

The SPEAKER: The Chair would direct the Member to House Rule 401, part 12, which allows Members 30 minutes to vote and we are in the middle of a Roll Call.

The SPEAKER: The Chair recognizes the Representative from Winter Harbor, and inquires as to why he rises.

Representative **FAULKINGHAM**: Madam Speaker, House Rule 401 part 12 says a call for the yeas and nays must close no more than 30 minutes after the Roll Call is commenced.

The SPEAKER: The Chair would answer in the affirmative. The Member has 15 seconds to vote.

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. 345

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

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

ABSENT - Abdi, Collamore, Collings, Drinkwater, Gifford, Parry, Perry A, Riseman, Rudnicki.

Yes, 73; No, 69; Absent, 9; Vacant, 0; Excused, 0.

73 having voted in the affirmative and 69 voted in the negative, with 9 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

SENATE PAPERS

Non-Concurrent Matter

Bill "An Act Regarding Criminal Background Checks for the Sale, Transfer or Exchange of Firearms"

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

Report "A" (6) **OUGHT TO PASS AS AMENDED** of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-623) AS AMENDED BY HOUSE AMENDMENT "A" (H-664)** thereto in the House on June 26, 2023.

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

Speaker TALBOT ROSS of Portland moved that the House **INSIST**.

Representative FAULKINGHAM of Winter Harbor moved that the House **RECEDE AND CONCUR**.

Representative TERRY of Gorham **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

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

ROLL CALL NO. 346

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

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

ABSENT - Abdi, Collamore, Collings, Costain, Cray, Drinkwater, Gifford, Lanigan, Parry, Perry A, Riseman, Rudnicki.

Yes, 66; No, 73; Absent, 12; Vacant, 0; Excused, 0.

66 having voted in the affirmative and 73 voted in the negative, with 12 being absent, and accordingly the motion to **RECEDE AND CONCUR FAILED**.

Subsequently, the House voted to **INSIST**.

Non-Concurrent Matter

An Act to Clarify the Requirements for Adult Use Cannabis Stores to Transact Sales at Specified Events (EMERGENCY)
(S.P. 102) (L.D. 202)
(C. "A" S-384)

FAILED of **PASSAGE TO BE ENACTED** in the House on June 26, 2023.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-384) AS AMENDED BY SENATE AMENDMENT "A" (S-414)** thereto in **NON-CONCURRENCE**.

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

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

**ENACTOR
Act**

An Act Regarding Consent for Gender-affirming Hormone Therapy for Certain Minors

(H.P. 340) (L.D. 535)
(C. "A" H-596)

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

On motion of Representative POIRIER of Skowhegan, was **SET ASIDE**.

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

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

The **SPEAKER**: The Chair recognizes the Representative from Rumford, Representative Henderson.

Representative **HENDERSON**: Thank you, Madam Speaker. I guess it's pretty important to just be able to pivot rather quickly in this Chamber.

I think our requests have been pretty simple this year. We want tax breaks, we don't want fully-viable children killed and we don't want our teenagers mutilated. It's pretty simple requests. And yet, here we are with 535 in front of us, which would allow gender-affirming care, hormone therapy; let's call it like it is, we're not talking surgeries, but hormone therapy; without parental consent.

Gender dysphoria is classified as a psychological diagnosis. We heard testimony, powerful testimony, from a young woman who is a de-transitioner who talked about the effects that hormone replacement therapy had on her body and that at 25, she's in full-blown menopause, having made the worst decision of her life in her teen years, with family that affirmed; de-firmed; her gender. Hormone replacement therapy has a permanent effect on the body. This is not something that should be stepped into lightly. We heard testimony from Quinn Gormley, the former Executive Director of TransNet, that anywhere from eight to 12 months after hormone replacement therapy has been started, the effects of it are irreversible. There is no decision, I think, outside of showering and brushing my teeth, at 16 years old that I wanted to be a life-long decision and with these hormones being irreversible, this woman that spoke to us at 25 years old as a de-transitioner, she stated within just months, her hips had narrowed, her shoulders had broadened, she's in the beginning stages; and forgive me, I'm not a medical professional; of osteoporosis, whatever that first diagnosis is before osteoporosis. She'll never have children, she'll never have a normal sex life. These are permanent changes. I'm not

here to debate the legitimacy of gender dysphoria or to try to trample on the decisions of adults. What I am here to talk about or ask you to please consider is that we are allowing with this bill 16- and 17-year-olds to permanently alter their body and change the trajectory of their lives.

A bill was passed in the 129th, I believe, that requires psychologists, psychiatrists; when someone goes to them and says, as a biological male, I think I'm a woman in a man's body, we passed a law stating that psychiatrists can only affirm that. They can do nothing but affirm what the patient has come to them. There's no way for them, for psychiatrists to try to explore any other options other than simply affirming that gender. With minors, in the 130th, we passed a law that says one, one parent, it only requires one parent to sign off. Section 7 of this bill reaffirms; pardon the pun; reaffirms that there's no change to the laws on how gender affirming care for minors with parental consent is handled. And that is 15 years old and younger going back as far as the beginning of puberty can begin gender-affirming care. It takes a simple Google search that was suggested to me by one of my colleagues in the Committee, a simple Google search to find that there are girls as young as seven years old who begin puberty. So, simple math would say if a girl as young as seven years old can begin gender-affirming care, in eight to 12 months hormone replacement therapy is irreversible, that would mean a child as young as the age of eight would have a permanently altered body.

I am humbled to serve this State. A year ago, it was not even in my wildest dreams that I would be standing before such a Body today, that I would have this kind of opportunity. I don't know what my future holds but I know that my time spent here has been incredible. But what really blows my mind is the fact that I stand here, the end of June, imploring some of the brightest minds in the State of Maine to not mutilate our children, to not kill healthy babies inside the womb. I'm having a hard time wrapping my head around this. I get that the votes have been cast and that this is simply enactment and maybe, maybe my words have no impact, but please consider, if that even works anymore, that gender-affirming care, it's just a great concept, right? Even the words sound really good.

Madam Speaker, you know what I did this weekend? I didn't do any chores; I did laundry so I'd have clean clothes; I spent time with my nieces and nephews. That's all I did. I played with the 11-week-old and she smiled and giggled. I reminded my nephews that they've got a future and they're perfect. They could do anything that they wanted and they're built to do hard things because life's going to be hard.

There's a lot of power in this room. I know I'm just going on at this point but, you know, this is a culmination of a lot of weeks of just being beat up day after day. We have the power in this room to do what's right by our kids. I'm asking that we do that. Let the adults do what they want to do. Adults with gender dysphoria? Let them. I'm not here standing in the way. We're talking children. It's interesting that 535 and 1619 came up on the same day.

The **SPEAKER**: The Chair recognizes the Representative from Naples, Representative Walker.

Representative **WALKER**: Thank you, Madam Speaker. I rise to correct my colleague, the Representative from Rumford. She asked the question what are we doing to our children. Actually, we're doing it to other peoples' children.

The **SPEAKER**: The Chair recognizes the Representative from Cumberland, Representative Moriarty.

Representative **MORIARTY**: Thank you, Madam Speaker. Good evening, Fellow Members of the House. I was absent from the House yesterday morning when the vote on the bill was

taken. Tonight, on enactment, my vote will be no for the reason that the bill does not provide for parental notification of the diagnosis of gender dysphoria for minors age 17 and 18 and also on the grounds that the bill does not provide for notification to the parents that gender-affirming hormone therapy has been recommended.

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

Representative **POIRIER**: Thank you, Madam Speaker. Madam Speaker, I'll be very brief. I just want to talk about something in the House that hasn't been brought up about this bill yet that was spoken on in Committee hearings. I'm under the impression that youth seeking gender-affirming care do need to go through some sort of diagnosis or counseling. And I did ask in Committee how that works if the youth is underneath their parents' insurance. Regardless if the parent approves of this therapy or not, the insurance company is obligated to pay. That means any co-pays, that means counseling, that means anything, without parental consent. I think we're really overstepping our bounds here and we need to recognize that parents do have the best interests of their children at heart and by putting through a bill such as this, taking out that family element of conversation, I think we're opening floodgates for worse family relations. Whether a parent agrees with what their child is going through or vice versa, conversations need to be had. Secrets and hiding things are not going to improve relationships. We need to start putting family first. Thank you, Madam Speaker.

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

Representative **UNDERWOOD**: Thank you, Madam Speaker. I've got a question for the Chair. May I ask a question?

The SPEAKER: The Member may proceed.

Representative **UNDERWOOD**: My question is what are the MaineCare rates for reimbursement for this particular type of therapy?

The SPEAKER: The Member has posed a question to anyone who wishes to 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. 347

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

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

ABSENT - Abdi, Collamore, Collings, Costain, Cray, Drinkwater, Gifford, Lanigan, Parry, Perry A, Riseman, Rudnicki, Russell, White B, Zeigler.

Yes, 71; No, 65; Absent, 15; Vacant, 0; Excused, 0.

71 having voted in the affirmative and 65 voted in the negative, with 15 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act to Fund Collective Bargaining Agreements with Executive Branch Employees" (EMERGENCY)

(H.P. 1299) (L.D. 2017)

Sponsored by Representative SACHS of Freeport. (GOVERNOR'S BILL)

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

Under suspension of the rules, the Bill was given its **FIRST READING WITHOUT REFERENCE** to a committee.

Under further 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** and sent for concurrence.

ORDERED SENT FORTHWITH.

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

Representative **SAMPSON**: Thank you Madam Speaker, I request unanimous consent to speak on the record.

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

Representative **SAMPSON**: Thank you. It should come as no shock to every parent, every lawmaker, every School Board member in the State of Maine to learn from you, Madam Speaker, that the Department of Education has become infested with white supremacist ideology. If, Madam Speaker, what you have said is true, then we should all be outraged. At a minimum, we should demand transparency reforms so that everyone can see for themselves what is going on. If the DOE is full of white supremacists or making decisions based on white supremacy, then let us pull back the curtain and let us have transparency from local school levels to the highest political officials. Let us expand the Freedom of Access Act. Let us require curriculum to be placed online. Let us demand and mandate that the business of public education not be conducted in private, where these evildoers, as you have implied, Madam Speaker, are doing their evil business.

However, every single attempt to make Maine's education system more transparent has been rejected by you, Madam Speaker. So, I wonder why. I know you are concerned about the Department of Education, you have raised your concerns. I have raised my concerns repeatedly; repeatedly; in this Chamber. And, Madam Speaker, you have raised very concerning issues, including white supremacy, and have

insisted upon strong response and action and this needs to be addressed and we must pay attention to these concerns and address them. So, I understand, Madam Speaker, you and I may disagree about what's wrong with the Maine Department of Education but we both clearly agree that transparency would be in the interest of all people who are concerned with what's happening in Maine education. So, Madam Speaker, I ask you to join me in going to the Maine Department of Education where we can both address the issue of lack of transparency in a determined yet peaceful manner. Thank you.

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

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

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

Representative **CARLOW**: Thank you, Madam Speaker. Madam Speaker, I rise to express my thanks and gratitude to all our staff; to the staff in this Chamber, down the hall and our nonpartisan and our partisan offices. I just want to say thank you. They keep this place running and they provide an indispensable function of legislative service. I rise in gratitude and appreciation for all of them, for their hard work and their long hours and their devoted service to the people of Maine. Thank you and thank you, Madam Speaker.

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

On motion of Representative PRINGLE of Windham, the House adjourned at 9:46 p.m., until the call of the Speaker of the House and the President of the Senate, respectively, pursuant to the Joint Order (S.P. 842) and in honor and lasting tribute to Richard C. Dillihunt of Portland and Forrest C. Hunt of Damariscotta.