

MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE
SECOND REGULAR SESSION
9th Legislative Day
Thursday, February 1, 2024

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

Prayer by Reverend Dr. Jake Clements, Carmel.

National Anthem by Hannah Ness, Glen, NH and Honorable Caleb Joshua Ness, Fryeburg.

Pledge of Allegiance.

The Journal of Tuesday, January 30, 2024 was read and approved.

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

COMMUNICATIONS

The Following Communication: (H.C. 381)

**STATE OF MAINE
CONNECTME AUTHORITY
78 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0078**

January 22, 2024

Honorable Troy D. Jackson

President of the Senate

3 State House Station

Augusta, Maine 04333

Honorable Rachel Talbot Ross

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Northern New England Passenger Rail Authority due by February 1, 2024.

Please contact me if you have any questions or need additional information.

Thank you.

Sincerely,

S/Mr. James Cohen

Chairman

Northern New England Passenger Rail Authority

S/Ms. Patricia Quinn

Executive Director

Northern New England Passenger Rail Authority

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

The Following Communication: (H.C. 382)

MIDCOAST REGIONAL REDEVELOPMENT AUTHORITY

January 22, 2024

The Honorable Troy D. Jackson

President of the Senate

3 State House Station

Augusta, Maine 04333

The Honorable Rachell Talbot Ross

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Mr. President and Madam Speaker:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Midcoast Regional Redevelopment Authority.

MRRA was created in 2006 by the Maine Legislature (5 MRSA §13083-G) as a municipal corporation charged with the responsibility to implement the reuse master plans for Naval Air Station Brunswick (NAS Brunswick) and the Topsham Annex, which closed as a result of the 2005 Base Realignment and Closure (BRAC) process.

Please contact me if you have any questions or need additional information. Thank you.

Sincerely,

S/Jeffrey K. Jordan

Deputy Director

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

The Following Communication: (H.C. 383)

**MAINE MUNICIPAL AND RURAL ELECTRIFICATION
COOPERATIVE AGENCY**

January 26, 2024

Honorable Troy D. Jackson

President of the Senate

3 State House Station

Augusta, Maine 04333

Honorable Rachel Talbot Ross

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear President Jackson and Speaker Ross:

Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Maine Municipal and Rural Electrification Cooperative Agency due by February 1, 2024.

Please contact me if you have any questions or need additional information.

Thank you.

Sincerely,

S/Scott M. Hallowell

MMRECA

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

The Following Communication: (H.C. 384)

**MAINE TURNPIKE AUTHORITY
2360 CONGRESS STREET
PORTLAND, ME 04102**

January 26, 2024

Honorable Rachel Talbot Ross

Speaker of the House

2 State House Station

Augusta, Maine 04333

Re: An Act to Implement the Recommendations of the Office of Program Evaluation and Government Accountability and the Government Oversight Committee Regarding Quasi-Independent State Entities

Dear Speaker Talbot Ross,

Enclosed are the reports required under 5 M.R.S.A. §12023, due February 1, 2024. The reports include: a list of all procurements in 2023 exceeding \$10,000 for which competitive procurement was waived; a list of contributions made in 2023 that exceed \$1,000. Section 12023(2c) requires a description

of changes to the written policies and procedures required by Section 12022. There were no changes to the policies and procedures required by this section in 2023, therefore, there is nothing to report.

In 2023, the Maine Turnpike Authority made over \$120 million in payments to approximately 700 vendors. The vast majority of these payments, approximately \$101 million, were for competitively bid products or services or were legally or legislatively required. The Authority sole-sourced approximately \$18.7 million in 2023. Most of these products or services were either proprietary in nature or were procured under long-term contracts. As these long-term contracts expire, the Authority will seek competitive bids.

Respectfully,
S/Peter Mills

Executive Director

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

The Following Communication: (H.C. 385)

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

February 1, 2024

Honorable Rachel Talbot Ross

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Talbot Ross:

Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass:"

Education and Cultural Affairs

L.D. 19 An Act to Authorize the National Institute of Funeral Service to Grant Associate Degrees (EMERGENCY)

Energy, Utilities and Technology

L.D. 2127 An Act to Increase the Number of Commissioners on the Public Utilities Commission

Health and Human Services

L.D. 75 An Act to Establish Maximum Contaminant Levels Under the State's Drinking Water Rules to Prohibit Certain Perfluoroalkyl and Polyfluoroalkyl Substances

L.D. 251 Resolve, to Classify Employee Health Insurance as a Fixed Cost for MaineCare Reimbursement in Nursing Facilities

L.D. 619 An Act to Ensure Coordination of Care for MaineCare Members

L.D. 744 Resolve, to Direct the Department of Health and Human Services to Perform Rate Studies and Rate Determinations for Providers of Certain Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder

L.D. 821 Resolve, to Improve Access to Neurobehavioral Services

L.D. 825 An Act Relating to Transportation Services for MaineCare Members with Multiple Disabilities

L.D. 1114 An Act to Eliminate the Annual Medical Eligibility Determinations of Need for Families of Children with Disabilities

L.D. 1224 Resolve, Directing the Department of Health and Human Services to Seek Federal Approval for Reimbursement of Community-based Mobile Crisis Intervention Services

L.D. 1995 An Act to Bolster Maine's Workforce and Economy by Increasing Assistance for Parents Pursuing Education and Employment and by Indexing Unemployment Benefits to the Unemployment Rate Innovation, Development, Economic Advancement and Business

L.D. 1716 An Act to Establish a Repairability Index for Consumer Electronic Products

Judiciary

L.D. 1763 An Act Regarding Trustee Duties to Beneficiaries

L.D. 2159 An Act to Protect the Confidentiality of Attorney-Client E-mail Communications for Residents of Jails and Correctional Facilities

Sincerely,

S/Robert B. Hunt

Clerk of the House

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

The Following Communication: (H.C. 386)

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

February 1, 2024

Honorable Rachel Talbot Ross

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Talbot Ross:

Pursuant to Joint Rule 310, the Committee on Environment and Natural Resources has approved the request by the sponsor, Representative Gramlich of Old Orchard Beach, to report the following "Leave to Withdraw:"

L.D. 306 An Act Related to Water

Pursuant to Joint Rule 310, the Committee on Labor and Housing has approved the request by the sponsor, Senator Tipping of Penobscot, to report the following "Leave to Withdraw:"

L.D. 321 An Act to Create a Bill of Rights for Temporary Workers

Pursuant to Joint Rule 310, the Committee on Labor and Housing has approved the request by the sponsor, Senator Tipping of Penobscot, to report the following "Leave to Withdraw:"

L.D. 322 An Act to Improve the Unemployment Insurance System

Pursuant to Joint Rule 310, the Committee on Labor and Housing has approved the request by the sponsor, Senator Tipping of Penobscot, to report the following "Leave to Withdraw:"

L.D. 324 An Act to Prevent the Wrongful Firing of Maine Workers

Pursuant to Joint Rule 310, the Committee on Labor and Housing has approved the request by the sponsor, Senator Tipping of Penobscot, to report the following "Leave to Withdraw:"

L.D. 926 An Act to Improve Maine Public Employees Retirement System Representation

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

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

The Following Communication: (H.C. 387)
**MAINE TECHNOLOGY INSTITUTE
8 VENTURE AVENUE
BRUNSWICK LANDING
BRUNSWICK, ME 04011**

January 31, 2024
The Honorable Troy D. Jackson
President of the Senate
3 State House Station
Augusta, Maine 04333
The Honorable Rachel Talbot Ross
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear President Jackson and Speaker Talbot Ross:
Pursuant to 5 M.R.S.A., Section 12023, please consider this the letter of transmittal for the required report from the Maine Technology Institute (MTI) due by February 1, 2024. Please do not hesitate to contact me if you have any questions or need additional information.

Thank you.
Sincerely,
S/Brian Whitney
President

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

The Following Communication: (S.C. 845)
**MAINE SENATE
131ST LEGISLATURE
OFFICE OF THE SECRETARY**

January 30, 2024
Honorable Rachel Talbot Ross
Speaker of the House
2 State House Station
Augusta, ME 04333-0002

Dear Speaker Talbot Ross:
In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 131st Maine Legislature, please be advised that the Senate today confirmed the following nominations:
Upon the recommendation of the Committee on Judiciary:
Katherine M. Dufour, Esq. of Lincolnville for appointment, as a District Court Judge,
David F. Hathaway, Esq. of Auburn for appointment, as a District Court Judge,
Jon Haddow, Esq. of Fairfield for appointment, as a District Court Judge,
Heather M. Seasonwein, Esq. of Freeport for appointment, as a District Court Judge,
The Honorable E. Mary Kelly of Falmouth for appointment, as an Active Retired Judge of the District Court.

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

READ and **ORDERED PLACED ON FILE.**

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act to Strengthen the Health, Well-being and Academic Success of Children and Their Families Through Increased Community Support of the Boys and Girls Clubs of Southern Maine"

(H.P. 1408) (L.D. 2197)

Sponsored by Speaker TALBOT ROSS of Portland.
Cosponsored by Senator CHIPMAN of Cumberland and Representatives: COLLINGS of Portland, CROCKETT of Portland, KUHN of Falmouth, MOONEN of Portland, SKOLD of Portland, ZAGER of Portland, Senators: CARNEY of Cumberland, PIERCE of Cumberland.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent for concurrence.

Bill "An Act to Require Health Insurance Coverage for Federally Approved Nonprescription Oral Hormonal Contraceptives"

(H.P. 1411) (L.D. 2203)

Sponsored by Representative ARFORD of Brunswick.
Cosponsored by Senator DAUGHTRY of Cumberland and Representatives: CLUCHEY of Bowdoinham, LaROCHELLE of Augusta, MILLIKEN of Blue Hill, PERRY of Calais, SALISBURY of Westbrook, Speaker TALBOT ROSS of Portland, Senators: BAILEY of York, VITELLI of Sagadahoc.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** suggested and ordered printed.

REFERRED to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed.

Sent for concurrence.

Bill "An Act to Remove the Exemption from Sales and Use Tax for Automobiles Purchased for Use as Rentals"

(H.P. 1409) (L.D. 2198)

Sponsored by Speaker TALBOT ROSS of Portland.
Cosponsored by Senator CHIPMAN of Cumberland and Representatives: HASENFUS of Readfield, PERRY of Bangor, TERRY of Gorham.

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Committee on **TAXATION** suggested and ordered printed.
REFERRED to the Committee on **TAXATION** and ordered printed.

Sent for concurrence.

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

ORDERS

On motion of Representative CLOUTIER of Lewiston, the following Joint Resolution: (H.P. 1410) (Cosponsored by Senator ROTUNDO of Androscoggin and Representatives: ABDI of Lewiston, CRAVEN of Lewiston, LAJOIE of Lewiston)

**JOINT RESOLUTION RECOGNIZING
ON HEALTH CARE ADVOCACY DAY**

**THE HEALTH CARE PROFESSIONALS WHO HAVE BEEN
A PART OF THE LEWISTON SHOOTING RESPONSE**

WHEREAS, February 1st is observed as Health Care Advocacy Day by the Maine Public Health Association; and

WHEREAS, on October 25, 2023, a mass shooting in Lewiston took the lives of 18 people and injured 13 others; and

WHEREAS, the shooting affected the lives of innumerable family members, friends, partners and community members in Lewiston and throughout the State; and

WHEREAS, Maine health care professionals, including emergency medical services workers, rehabilitation health care workers and mental health care workers, have continued to work tirelessly to support survivors and family members affected by the Lewiston shooting; and

WHEREAS, Maine health care professionals will continue to support Lewiston community members as they heal from the tragic shooting; and

WHEREAS, we owe these individuals a deep debt of gratitude for the critically important work they have been doing every day since the tragedy and the support they continue to provide to the community; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize on Health Care Advocacy Day the health care professionals who have been a part of the Lewiston shooting response and thank them for their commitment to serving the people of Maine.

READ.

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

Representative **CLOUTIER**: Thank you, Madam Speaker. Madam Speaker and Esteemed Members of the House, I rise today to honor some of the most selfless, caring and brave Mainers among us, the health care professionals who responded to the tragedy in Lewiston on October 25, 2024. Some of them are here with us today.

It is difficult to fully express the depth of gratitude that I feel for their remarkable life-saving efforts on that horrific night and in the days and weeks that followed, but I will surely try. Without hesitation, they jumped into action during a moment of unfathomable crisis, triaging patients and providing emergency care to those who were wounded. I specifically want to thank the health care teams at Central Maine Medical Center, Maine Medical Center, and Mass General Hospital, which all played a critical role in caring for victims and their families. In Lewiston alone, a team of more than a dozen surgeons at Central Maine Medical Center with expertise in orthopedics, cardiovascular, thoracic, colorectal, plastic, urologic and general surgery assembled quickly to provide care when it was needed most. They were aided by more than 100 other physicians, nurses, nurse practitioners, physician assistants and other health care professionals with training in responding to mass casualty incidents.

At other hospitals across the State, additional health care workers offered to help in any way possible, heading into work in the immediate aftermath knowing full well that the gunman was still unaccounted for. They are all heroes and their work is

not done. Our health care professionals continue to care for Lewiston and other impacted communities, which are still grappling with a long and difficult grieving process. Often, the effects of gun-violence-related trauma aren't fully felt until long after the tragedy takes place. Our health care workers have continued to support survivors, their families and our community members in the months since the tragedy, and they will be instrumental in helping all of us heal going forward. So, today, on Health Care Advocacy Day, we recognize their incredible work. On behalf of the entire Maine House of Representatives, I offer them our deepest gratitude today and every day. Thank you.

Subsequently, the Joint Resolution was **ADOPTED** and sent for concurrence.

On motion of Representative LAJOIE of Lewiston, the following House Order: (H.O. 38)

ORDERED, that Representative John Andrews of Paris be excused Jan 25 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Danny Edward Costain of Plymouth be excused Jan 18, 23 and 25 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Ann Fredericks of Sanford be excused Jan 11 and 16 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Abigail W. Griffin of Levant be excused Jan 11 for personal reasons and Jan 23 for health reasons.

AND BE IT FURTHER ORDERED, that Representative David G. Haggan of Hampden be excused Jan 3, 9, 11, 16, 18 and 23 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Allison Hepler of Woolwich be excused Jan 16 for health reasons and Jan 23 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Daniel J. Hobbs of Wells be excused Jan 23 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Chad Richard Perkins of Dover-Foxcroft be excused Jan 23 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Kathy A. Shaw of Auburn be excused Jan 25 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative J. Mark Worth of Ellsworth be excused Jan 18 for health reasons.

READ and PASSED.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Honorable David Richardson, of Carmel, recipient of a Spirit of America Foundation Award. The Spirit of America Foundation was established to encourage and promote volunteerism, and the foundation presents awards to honor local individuals, organizations or projects in appreciation of community service. We extend our congratulations and best wishes;

(HLS 733)

Presented by Representative THORNE of Carmel. Cosponsored by Senator LYFORD of Penobscot.

On **OBJECTION** of Representative THORNE of Carmel, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **THORNE**: Thank you, Madam Speaker. I rise today to recognize the Honorable David Richardson from Carmel. I didn't realize it was going to be Carmel day, it just happened to work out that way and our opening prayer, I was inspired by his words of listening.

David Richardson is a man that has embraced Carmel and Carmel has embraced him for quite some time. From his years as a teacher to his years involved in the town, in the boards and organizations and lodges within town, to his terms here in the Legislature, and both proud to have served on Inland Fisheries and Wildlife and make that a very memorable occasion and look at some of the pieces of legislation that David has chartered and championed to help out with college student loans and so forth is remarkable.

We found out recently in our town what it means when we don't have someone all of a sudden in our town that participates and helps the town out. David for decades has helped out the town of Carmel and continues to help the town of Carmel in many ways. On any given day, you can drive by and look at him doing work in the yard of the lodge or see him at the town office and giving his advice and talking with citizens of Carmel. So, it is a great honor that I'm able to help him in being recognized as his contributions to the town of Carmel with this Sentiment. Thank you.

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

In Memory of:

Isaiah Hill, of Sebec. Mr. Hill began his career working in the Maine woods and at Great Northern Paper Company in Millinocket, where he became a certified pipe-fitter and welder. In 1971 he hosted a Vacation Bible School in a local unused church building that became the Sebec Corner Baptist Church, where he served as Pastor for 50 years. He was also an avid farmer who donated much of his produce to people in need. Mr. Hill will be long remembered and sadly missed by his family, friends and all those whose lives he touched;

(HLS 744)

Presented by Representative NESS of Fryeburg.
Cosponsored by Senator GUERIN of Penobscot,
Representative WHITE of Guilford.

On **OBJECTION** of Representative NESS of Fryeburg, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **NESS**: Thank you, Madam Speaker. Madam Speaker, my grandfather, Isaiah Hill, was born on February 9, 1941, in East Corinth, Maine. Being one of 11 children, he grew up very poor and had a hard family life. He was working in the woods from the time he was a very young child. His days as a child usually started working in the woods, going to school; which he slept through most of; and then continued working with his siblings and father until dark.

At the age of 12, he attended a revival meeting in Bangor to hear evangelist Hyman Appelman, where he heard a message on Ephesians 2:8 and 9, which reads: "For by grace are you saved through faith and that not of yourselves. It is a gift of God, not of works, lest any man should boast." That day, he gave his heart and life to the Lord, which would determine a great deal of his life ahead. He left his home as a young adult and attended the New Brunswick Bible Institute in New

Brunswick, Canada, for three years. Because of his lack of education in grade school, teachers at the institute helped him, including how to read his Bible as a primary textbook. Although he could not graduate with a full degree, the institute granted him a certificate of completion, for which he was extremely grateful.

After his time in Canada, he returned to Maine and married his beloved Lorraine, who is here today. They would've celebrated 60 wonderful years of marriage in June of this year. Their family grew with first my Mom, Melanie, and later my Uncle Tim. They moved to their current home and farm on the Milo Road in Sebec in 1965. Pa began working at the Great Northern Paper Company in Millinocket. During his time there, he became a certified pipe fitter and welder. He was always amazed that he could rise to the ranks to do the job there that he enjoyed and be certified by the State with so little education.

In 1971, he hosted a Vacation Bible School at a local unused church building in Sebec. Following the VBS, he got the opportunity to continually use the building and have regular church services. The Sebec Corner Baptist Church became his lifelong ministry and passion. In 1978, he left the paper company to become the full-time pastor of the church. The church did outreach and even started a Christian school, which was in operation from 1980 to 1990. He served as pastor until 2021, totaling 50 years in the pulpit.

Being a very hard worker and having a great plot of land in Sebec, he was an avid farmer. Throughout his life, he experienced two fires at their Sebec home and the latest one being in 2016. Many of you may have seen that on the news back then. Though he did not have home insurance, through the giving of so many people, a brand-new home was able to be rebuilt on the same slab with a very similar footprint. Through his farm, he helped put my mom through college and assisted so many people in the community. It was not uncommon for him to hear about a desperate family and he and Grammy would gather up some farm goods and deliver a bag of food or bring an entire meal and try to minister to hurting folks. Quite often, he referred to people as friend, and when you ended a conversation with him, you knew you had one. When you'd meet my grandfather, you would look at him, shake his hand; which has been described as feeling like old shoe leather; and you would know that you were talking with a very hardworking man. He continued farming all the way until 2022. In 2014, he and Grammy celebrated 50 years of marriage. Pa was the grandfather of five Hill children and two Ness children; I being one of them; and the great-grandfather of five.

I do want to tell a quick, humorous story. If any of you ever got to meet my grandfather, he was very notorious for having basically a brick wall of pens in his front pocket. Being the pastor of the church there, he had church pens made up and he would give them to everyone he met. And I'll never forget that he always just had a wall of them in the front of his pocket.

While I don't think I could ever fill shoes as big as his, I hope that I can try to be a man that my grandfather could respect. I always knew he loved and cared about me, as I did him. I love and miss you, Pa. Thank you, Madam Speaker.

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

Representative **PERKINS**: Thank you, Madam Speaker. Isaiah Hill was, indeed, an amazing pastor. In fact, he was our pastor for a while and he baptized five of our kids. And although that's quite an accolade to be called an amazing pastor, he was more than that. He was a pillar of the community and he was our friend. And echoing what my good friend from Fryeburg said, it was impossible to meet Isaiah Hill and not call him a

friend. He was a shining example of what it was to be a believer and to live a life of faith. He almost always had a smile on his face, but he always had joy in his heart. You'd be hard-pressed, Madam Speaker, to find someone more honorable, more caring or harder working than Isaiah Hill. He will be missed by many and I count myself blessed and honored to call him my friend. Thank you.

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

**REPORTS OF COMMITTEE
Change of Committee**

Report of the Committee on **TAXATION** on Bill "An Act to Support Municipalities by Repealing the Law Limiting the Municipal Property Tax Levy" (EMERGENCY)

(S.P. 895) (L.D. 2102)

Reporting that it be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT**.

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

Subsequently, the Bill was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

Representative LANDRY from the Committee on **INLAND FISHERIES AND WILDLIFE** on Resolve, to Study the Gasoline Tax Allocations for Nonhighway Recreational Vehicles and Make Recommendations for Changes

(H.P. 624) (L.D. 977)

Reporting that it be **REFERRED** to the Committee on **TRANSPORTATION**.

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

Subsequently, the Resolve was **REFERRED** to the Committee on **TRANSPORTATION** and sent for concurrence.

**CONSENT CALENDAR
First Day**

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

(S.P. 834) (L.D. 2011) Bill "An Act Regarding the State Auditor's Reporting Requirements on State Agencies' Financial Activities" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass**

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

There being no objection, the Senate Paper was **PASSED TO BE ENGROSSED** in concurrence.

**ENACTORS
Pursuant to the Constitution
Public Land**

Resolve, Authorizing the Director of the Bureau of Parks and Lands to Convey a Parcel of Land in the Town of Woodstock (S.P. 861) (L.D. 2033) (C. "A" S-512)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 23 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 124 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act to Provide Indigenous Peoples Free Access to State Parks (S.P. 17) (L.D. 25) (C. "A" S-513)

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.

An Act to Support Municipal Franchise Agreements (H.P. 1264) (L.D. 1967) (C. "A" H-728)

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

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

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

Representative **FOSTER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise this morning once again to speak in opposition to LD 1967. Over the last couple of weeks, I have heard several arguments in favor of LD 1967 and over and over again I've heard that this bill does not create new taxes on the people of Maine. I would like to provide some clarity on this statement. LD 1967 creates a new tax on streaming services by creating the new term 'video service provider,' which includes many streaming services, requiring these entities to get a franchise and requiring those franchises to include provisions regarding the payment of franchise fees, which under federal law can be up to 5% of the provider's gross receipts. Maine consumers already pay over \$10 million annually in franchise fees imposed on them by municipalities for providers' use of the public right of way. Not all municipalities impose this fee, but those that do receive more than \$10 million a year from Maine consumers. These fees show up as a line item on the consumers' bills and passing LD 1967 will add that fee to streaming services as well. If this isn't a new tax on consumers, I don't know what is.

This will apply to some streaming services, which makes it a discriminatory tax. It adds these new fees to streaming services available anywhere the internet is available, if they happen to be affiliated with a broadband provider. Picking winners and losers with tax policy is bad public policy and a terrible message to send to broadband providers who are trying to compete and offer popular streaming services. We all want to be supportive of the municipalities that we represent, but do we want to do so by adding another new tax on our constituents?

LD 1967 would also reduce local control. By Statute, cable operators cannot be required to shoulder costs of equipment replacements or upgrades for local access television. They are either paid for by subscribers or municipalities and, regardless of the outcome of LD 1967, that won't change. This bill could mandate significant new cost to Maine residents who subscribe to video services, which should be discussed during local franchise negotiations. A community could, for example, negotiate a modest reduction in the franchise fee to cover the cost of maintenance of returned lines and upgrade costs could be negotiated in the form of grants. This is the process the Cable Act contemplates, not strict mandates handed down by State Government with no input from the cable operator or cable subscribers.

Proponents of this bill have stated that passage of LD 1967 will empower towns to pursue action against a cable company for noncompliance concerns. Make no mistake, towns already have meaningful franchise enforcement rights, including liquidated damages, denial of permits and franchise termination or nonrenewal. Cable companies currently comply with franchise obligations and work cooperatively with local governments to address any disagreements or concerns.

This bill is almost identical to one the Chief Executive vetoed just a few years ago. It will increase costs for Maine consumers through additional unnecessary taxes imposed by municipalities on constituents across our State. I urge you to join me in voting no on LD 1967 and I would request a Roll Call.

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

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

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

Representative **SACHS**: Thank you very much, Madam Speaker. I rise to support the pending motion and appreciate the comments from my good friend from; the Representative from Dexter. I am happy to sit with him, as he stated, if I don't know if, if this is a tax, I don't know what is, I'm happy to again clarify for him that this is indeed not a tax on streaming services, that streaming services do not own in the public right of way. This goes to a federal Statute from 1984 that says that franchise agreements must be given to any entity within the public right of way. This is not that.

A vote for this bipartisan bill; and I thank this Chamber and the Chamber across the way for voting in a bipartisan way both in sponsorship and supporting this bill because supporting this bill supports home rule. It supports broadband in our most rural areas. It supports keeping costs down because they're not shifting to consumers. And I understand that makes big corporations angry. I'm not here for them. I am here for the people of Maine. I am here to work with the Maine Broadband Association, Maine Connectivity Authority, Maine Municipal Association and our Attorney General, who all support this very timely and important legislation. I urge you to follow my light and continue to support this bill. 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.

ROLL CALL NO. 364

YEA - Abdi, Ankeles, Arford, Bell, Blier, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Cray, Crockett, Dhalac, Dill, Dodge, Doudera, Ducharme, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Lajoie, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett H, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Neil, Perry A, Perry J, Poirier, Pomerleau, Rielly, Riseman, Roberts, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sinclair, Skold, Stover, Supica, Terry, Warren, White B, Williams, Woodsome, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Boyer, Bradstreet, Campbell, Carmichael, Collamore, Costain, Cyrway, Davis, Drinkwater, Faulkingham, Foster, Gifford, Greenwood, Griffin, Hall, Henderson, Hymes, Javner, Lemelin, Libby, Lyman, Mason, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Polewarczyk, Quint, Rudnicki, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, White J, Wood.

ABSENT - Boyle, Carlow, Dunphy, Fredericks, Galletta, Guerrette, Haggan, Jackson, Lanigan, Lavigne, O'Connell, Osher, Pluecker, Pringle, Rana, Roeder, Sheehan, Walker.

Yes, 81; No, 51; Absent, 18; Vacant, 1; Excused, 0.

81 having voted in the affirmative and 51 voted in the negative, 1 vacancy with 18 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**.

The following items were 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 Tuesday, January 30, 2024, 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 Not to Pass** - Minority (2) **Ought to Pass as Amended by Committee Amendment "A" (H-462)** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act Requiring Training Regarding and Screening for Adverse Childhood Experiences" (H.P. 874) (L.D. 1360)

- **CARRIED OVER** to any special or regular session, of the 131st Legislature, pursuant to Joint Order S.P. 847 on July 26, 2023.

TABLED - June 13, 2023 (Till Later Today) by Representative MEYER of Eliot.

PENDING - ACCEPTANCE OF EITHER REPORT.

On motion of Representative MEYER of Eliot, the Bill and all accompanying papers were **COMMITTED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and sent for concurrence.

SENATE PAPERS

The following Joint Order: (S.P. 941)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, February 6, 2024, at 10:00 in the morning, or 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.

Bill "An Act to Ensure Subsidy Reimbursements and Emergency Financial Assistance for Certain Child Care Providers"

(S.P. 935) (L.D. 2199)

Resolve, to Attract and Retain Behavioral Health Clinicians (S.P. 936) (L.D. 2200)

Came from the Senate, **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

Bill "An Act Regarding the Approval for the Placement of Portable Toilets"

(S.P. 938) (L.D. 2201)

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

Came from the Senate, **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and ordered printed.

REFERRED to the Committee on **STATE AND LOCAL GOVERNMENT** in concurrence.

Resolve, to Allow Ireland Farms, Inc. to Sue the State

(S.P. 939) (L.D. 2202)

Came from the Senate, **REFERRED** to the Committee on **JUDICIARY** and ordered printed.

REFERRED to the Committee on **JUDICIARY** in concurrence.

The SPEAKER: The Chair recognizes the Representative from Boothbay, Representative Stover, who wishes to address the House on the record.

Representative **STOVER**: Thank you, Madam Speaker. Madam Speaker, I have a special guest here today and I just wanted to speak for a moment about my friend, Brenda Blackman.

Brenda Blackman commenced her tenure at the First National Bank in 1983 and recently bid farewell on January 26, 2024, culminating an illustrious 41-year career. Throughout her professional journey, Brenda showcased remarkable versatility, having assumed nearly every conceivable role within the bank. Notably, she concluded her tenure as the Vice President, Branch Manager, a position she held until her retirement.

More importantly is her dedication to public service. She has distinguished herself as an exemplary community volunteer, generously contributing her time to various nonprofits. A standout commitment is her 34-year stint as a volunteer for the Boothbay Charities Classic, now called the Boothbay Cornhole Classic. Under her leadership, the organization has achieved significant milestones, raising hundreds of thousands of dollars for our local athletes to participate in Special Olympics every year. I worked closely with Brenda on a community project to raise money for a mobile home replacement for a mother with

three special needs adult children whose home had burned. We worked side by side with our municipal government to raise the money, not take State funds, to accomplish something that didn't seem achievable in the beginning. It just speaks to the amazing person that she is.

Brenda resides in Boothbay with her husband, Leon. She's not just a professional trailblazer, but she's dedicated herself to her family; to her two grown daughters and a cherished granddaughter. As she embarks on this next chapter, I just want to wish her well and look forward to all that she will continue to do to improve the lives of others in our community. Thank you.

The SPEAKER: The Chair recognizes the Representative from Kittery, Representative Mathieson.

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

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

Representative **MATHIESON**: Thank you, Madam Speaker, Men and Women of the House. Had I been present during LD 2033, I would have voted yes.

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

On motion of Representative NESS of Fryeburg, the House adjourned at 11:34 a.m., until 10:00 a.m., Tuesday, February 6, 2024, or until the call of the Speaker of the House and the President of the Senate, respectively, pursuant to the Joint Order (S.P. 941) and in honor and lasting tribute to Isaiah Hill of Sebec.