

# MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE  
SECOND REGULAR SESSION  
11th Legislative Day  
Thursday, February 8, 2024

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

Prayer by Nic Benner, Granite Hill Church, Hallowell.  
National Anthem by Ava Walker, Kathryn Williams, Ella Metivier and Addison Caster, Falmouth High School.  
Pledge of Allegiance.

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

The Journal of Tuesday, February 6, 2024 was read and approved.

**SENATE PAPERS**  
**Non-Concurrent Matter**

Bill "An Act Requiring Training Regarding and Screening for Adverse Childhood Experiences"

(H.P. 874) (L.D. 1360)

- In House, Reports **READ** and the Bill and accompanying papers **COMMITTED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** on February 1, 2024.

Came from the Senate with the Majority (11) **OUGHT NOT TO PASS** Report of the Committee on **HEALTH AND HUMAN SERVICES READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

**COMMUNICATIONS**

The Following Communication: (H.C. 399)

**STATE OF MAINE**  
**ONE HUNDRED AND THIRTY-FIRST LEGISLATURE**  
**COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY**

January 31, 2024

The Honorable Troy Jackson

President of the Senate

The Honorable Rachel Talbot Ross

Speaker of the House of Representatives

131st Legislature

State House

Augusta, ME 04333

Dear President Jackson and Speaker Talbot Ross:

Please accept this letter as the report of the findings of the Joint Standing Committee on Agriculture, Conservation and Forestry from its review and evaluation of the Land for Maine's Future Board under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the committee notified the board by letter dated May 1, 2023 of its intent to conduct a review. The board submitted its program evaluation report dated December 15, 2023. The committee has reviewed the report and unanimously finds that the Land for Maine's Future Board is operating within its statutory authority.

Sincerely,  
S/Henry Ingwersen  
Senate Chair  
S/Bill Pluecker  
House Chair

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 400)

**STATE OF MAINE**  
**ONE HUNDRED AND THIRTY-FIRST LEGISLATURE**  
**COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY**

January 31, 2024

The Honorable Troy Jackson

President of the Senate

The Honorable Rachel Talbot Ross

Speaker of the House of Representatives

131st Legislature

State House

Augusta, ME 04333

Dear President Jackson and Speaker Talbot Ross:

Please accept this letter as the report of the findings of the Joint Standing Committee on Agriculture, Conservation and Forestry from its review and evaluation of the Maine State Harness Racing Commission under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the committee notified the commission by letter dated May 1, 2023 of its intent to conduct a review. The commission submitted its program evaluation report dated November 2023. The committee has reviewed the report and unanimously finds that the Maine Harness Racing Commission is operating within its statutory authority.

Sincerely,

S/Henry Ingwersen

Senate Chair

S/Bill Pluecker

House Chair

**READ and ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 401)

**STATE OF MAINE**  
**ONE HUNDRED AND THIRTY-FIRST LEGISLATURE**  
**COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY**

January 31, 2024

The Honorable Troy Jackson

President of the Senate

The Honorable Rachel Talbot Ross

Speaker of the House of Representatives

131st Legislature

State House

Augusta, ME 04333

Dear President Jackson and Speaker Talbot Ross:

Please accept this letter as the report of the findings of the Joint Standing Committee on Agriculture, Conservation and Forestry from its review and evaluation of the Maine Milk Commission under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the committee notified the commission by letter dated May 1, 2023 of its intent to conduct a review. The commission submitted its program evaluation report dated January 2024. The committee has

reviewed the report and unanimously finds that the Maine Milk Commission is operating within its statutory authority.

Sincerely,  
S/Henry Ingwersen  
Senate Chair  
S/House Chair  
Bill Pluecker

**READ and ORDERED PLACED ON FILE.**

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

Thank you.  
Respectfully submitted,  
S/Michael D. Stoddard  
Executive Director

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

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The Following Communication: (H.C. 402)

**STATE OF MAINE  
ONE HUNDRED AND THIRTY-FIRST LEGISLATURE  
COMMITTEE ON AGRICULTURE, CONSERVATION AND  
FORESTRY**

January 31, 2024

The Honorable Troy Jackson  
President of the Senate  
The Honorable Rachel Talbot Ross  
Speaker of the House of Representatives  
131st Legislature  
State House  
Augusta, ME 04333

Dear President Jackson and Speaker Talbot Ross:  
Please accept this letter as the report of the findings of the Joint Standing Committee on Agriculture, Conservation and Forestry from its review and evaluation of the Maine Dairy and Nutrition Council and the Maine Dairy Promotion Board under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the committee notified both the board and the council by letter dated May 1, 2023 of its intent to conduct a review. The board and the council jointly submitted a program evaluation report in November of 2023. The committee has reviewed the report and unanimously finds that the both the Maine Dairy and Nutrition Council and the Maine Dairy Promotion Board are operating within their statutory authority.

Sincerely,  
S/Henry Ingwersen  
Senate Chair  
S/ Bill Pluecker  
House Chair

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 403)

**STATE OF MAINE  
OFFICE OF THE STATE AUDITOR  
66 STATE HOUSE STATION  
AUGUSTA, ME 04333-0066**

February 5, 2024

Honorable Members of the Legislative Council for the 131st Legislature;  
Honorable Janet T. Mills  
Governor of the State of Maine  
I am pleased to submit the State Auditor's Fraud Hotline Semiannual Report for the period January 1, 2023, to June 30, 2023.

A summary of the complaints is attached.

Sincerely,  
S/Matthew Dunlap, CIA  
State Auditor

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

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The Following Communication: (H.C. 404)

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

February 8, 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 Marine Resources has approved the request by the sponsor, Senator Reny of Lincoln, to report the following "Leave to Withdraw:"

L.D. 370 An Act to Protect Marine Resources in Maine  
Pursuant to Joint Rule 310, the Committee on Innovation, Development, Economic Advancement and Business has approved the request by the sponsor, Representative Roberts of South Berwick, to report the following "Leave to Withdraw:"

L.D. 377 An Act to Relieve Student Debt

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

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

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The Following Communication: (H.C. 398)

**EFFICIENCY MAINE**

January 30, 2024

Honorable Troy D. Jackson  
President of the Senate  
3 State House Station  
Augusta, ME 04333-0003  
Honorable Rachel Talbot Ross  
Speaker of the House  
2 State House Station  
Augusta, ME 04333-0002

Dear President Jackson and Speaker Talbot Ross:  
Pursuant to 5 M.R.S.A., Section §12023, I am pleased to deliver this letter of transmittal for the required report from Efficiency Maine Trust due by February 1, 2024.

The Following Communication: (H.C. 405)

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

February 8, 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: "  
Housing  
L.D. 2138 Resolve, to Improve Funding for Homeless Shelters Innovation, Development, Economic Advancement and Business  
L.D. 1806 An Act to Require Online Used Car Dealers to Be Licensed  
Marine Resources  
L.D. 710 An Act to Fund the Lobster Legal Defense Fund  
Transportation  
L.D. 369 An Act to Allow Repurposed Military Vehicles to Be Registered and Operated on Maine Roads  
L.D. 527 An Act to Allow Municipalities to Create Bicycle and Pedestrian Zones with Reduced Speed Limits  
L.D. 1750 Resolve, Directing the Department of Transportation to Complete a Service Plan and Determine the Scope of Work for Restoration of Rail Use of the Berlin Subdivision Rail Corridor from Downtown Portland to Auburn

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

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

The Following Communication: (H.C. 406)

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

February 8, 2024  
Honorable Robert B. Hunt  
Clerk of the House  
2 State House Station  
Augusta, Maine 04333

Dear Clerk Hunt:  
Please be advised that pursuant to her authority, Governor Janet T. Mills has nominated the following:  
on February 5, 2024

Anna Perna of Holden, Lisette Belanger of Portland, Michael Pulsifer of Cape Elizabeth, Roxanne Baker of Portland and Sandra Wood of Portland for reappointment, and Barbara Millios of Glenburn, Beth R. Campbell of Hermon and Dawna Thorpe of Hartland for appointment to the School Board of the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf.

Pursuant to Title 20-A §7406, these reappointments and appointments are contingent on confirmation by the Maine State Senate after review by the Joint Standing Committee on Education and Cultural Affairs.

on February 6, 2024

Megan Sanders of Old Town for appointment to the Maine Human Rights Commission.

Pursuant to Title 5 MRSA §4561, this appointment is contingent on confirmation by the Maine State Senate after review by the Joint Standing Committee on Judiciary.

Sincerely,  
S/Rachel Talbot Ross  
Speaker of the House

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

The Following Communication: (H.C. 407)

**STATE OF MAINE  
OFFICE OF THE STATE AUDITOR  
66 STATE HOUSE STATION  
AUGUSTA, ME 04333-0066**

Letter of Transmittal  
January 22, 2024

Honorable Members of the Legislative Council, 131st Maine Legislature;  
Honorable Janet T. Mills  
Governor of Maine

I am pleased to submit the Communication with Those Charged with Governance at the Conclusion of the Audit in reference to the financial statement audit for the fiscal year ended June 30, 2023. Auditing standards require us to communicate audit matters that are, in our professional judgment, significant and relevant to those charged with Governance in overseeing the financial reporting process. This report is being communicated in accordance with 5 MRSA §243.

This document contains the following:

- Communication with Those Charge with Governance at the Conclusion of the Audit
- Schedule of Uncorrected Misstatements
- Management Representation Letter
- Independent Auditor's Report
- Independent Auditor's Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*
- Redacted Schedule of Findings and Responses

Please contact me if you have questions or comments.

Respectfully submitted,  
S/Matthew Dunlap, CIA  
State Auditor

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

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

**ORDERS**

On motion of Representative LAJOIE of Lewiston, the following House Order: (H.O. 39)

ORDERED, that Representative William R. Bridgeo of Augusta be excused Jan 23 and 25 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Meldon H. Carmichael of Greenbush be excused Jan 30 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Ann Fredericks of Sanford be excused Jan 30 and Feb 1 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Randall C. Hall of Wilton be excused Jan 11, 18 and 25 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Rebecca L. Jauch of Topsham be excused Jan 23 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Kevin J. M. O'Connell of Brewer be excused Feb 1 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative William D. Pluecker of Warren be excused Feb 1 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Morgan J. Rielly of Westbrook be excused Jan 23 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Austin L. Theriault of Fort Kent be excused Jan 30 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Stephen J. Wood of Greene be excused Jan 18, 23, 25 and 30 for health reasons.

**READ and PASSED.**

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**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

Kathy Wilson, of Brunswick, in recognition of her many years of service to the Brunswick community and the people of Maine, including 9 years of service, from 2015 to 2023, on the Brunswick Town Council, with service as an At Large Councilor and as Vice Chair, and many years of work on a number of town committees. She also served on the Animal Welfare Advisory Council in Augusta from 2013 to 2018, working on state regulations for breeders and puppy mills and state laws ensuring proper welfare for all animals, including farm animals. She was Director at Coastal Humane Society from 1998 to 2001 and a member of the Breeders Advisory and Resource Council, helping to develop rules and programs that ensure better breeding regulations for breeders and working to control puppy mills. She has had extensive service with the Brunswick Pride Committee and various Pride Parades, started SOLO, Single Older Lesbian Organization, participated with LGBTQ+ Speak Out, worked on a school committee to help students with issues pertaining LGBTQ+ and other issues and held talks regarding nursing home elder care issues of importance to the LGBTQ+ community. We extend our appreciation and best wishes;

(HLS 731)

Presented by Representative ARFORD of Brunswick.

Cosponsored by Senator DAUGHTRY of Cumberland, Representative ANKELES of Brunswick, Representative GOLEK of Harpswell.

On **OBJECTION** of Representative ARFORD of Brunswick, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

Representative **ARFORD**: Madam Speaker, Ladies and Gentlemen of the House, I rise today in recognition of Kathy Wilson, a Brunswick resident, to thank her for a lifetime of service to our State and local community. Recently, Kathy retired after nine years on the Brunswick Town Council. That included serving as an At-Large Councilor and a term as Vice Chair, along with many years on town committees, including one near and dear to my heart, the search committee to locate our new Brunswick Tedford emergency housing shelter.

I met Kathy during my first term as an engaged constituent and now I know her as a community voice, friend and mentor. I have grown to deeply appreciate Kathy and the courageous woman she has proven herself to be in so many ways, including her leadership on the LGBTQ community and tenacious work for marriage equality. Kathy marched in the very first Pride Parade in Portland with Dale McCormick and a handful of others. As she related the experience to me, she shared that it had been scary yet so very empowering for the LGBTQ people still living in the dark shadow of prejudice and discrimination.

Kathy continues her service work today, helping where there is a need, including with welcoming the immigrant new-neighbors community to Brunswick. Thank you, Kathy, for your commitment to lifting up and serving the people of Maine. We extend our appreciation and best wishes to you.

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

Representative **ANKELES**: Thank you, Madam Speaker, and Fellow Members of the House. I rise to join my colleague, the Representative from Brunswick, in expressing joy and pride in honoring Kathy Wilson today. I've known Kathy for almost as long as I've lived in our town, and for five years we served together on the Brunswick Town Council. I could not have asked for a better seatmate, a better fellow At-Large Councilor and a better friend. In Kathy's nine years of service, she brought her own unique voice to all of our work. Kathy is a Brunswick institution who knows the history of our town up and down through the lens of her own personal experiences and she has never once been afraid to speak her mind.

There is nobody in our community who has been a stronger voice for our older residents, particularly those on fixed incomes. She has fought tirelessly to keep our community affordable and ensure that all of us who live there are able to remain there. Kathy has been a strong voice for equality and has been instrumental in establishing Brunswick's annual Pride celebration. She is an avid cyclist and has worked hard to make Brunswick a safer place to walk and bike. She helped us get our new fire station and has been a close ally of all our first responders. She helped Brunswick establish an amendment to our zoning ordinance that is about to pay off big time, as my colleague said, in our work to reverse and prevent homelessness.

Kathy leads with her heart and she acts out of a deep love for her fellow residents and her community. I feel so lucky to be able to join in honoring her with a Sentiment today. Congratulations, Kathy. I am so happy for you and so glad to know you.

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

The SPEAKER: The Chair recognizes the Representative from Standish, Representative Pomerleau.

Representative **POMERLEAU**: Good morning, Madam Speaker. I request to speak on record.

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

Representative **POMERLEAU**: Thank you. I'm excited to introduce and welcome the 2023 Bonny Eagle Cross-Country team, Class A State Championships here today. The team is accompanied by their athletic director, Eric Curtis; their coach, Ryan Dyer; and the boy's team coach, TJ Hesler. We have some mighty fast runners in our area, Madam Speaker. This team of Scots is carrying on a tradition that has most recently begun 12 years ago. The Scots have won nine cross-country titles in the last 12 years. Please join me in celebrating their victory and welcoming them here today.

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 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 am pleased to welcome the Bonny Eagle Girls Cross-Country team to the Maine State Capitol this morning and I offer them my warmest congratulations on winning their ninth cross-country State Championship. Bonny Eagle students are well known across the State for their talent in the classroom, on the field and throughout our school community. Several of their players serve or have previously served on the MSAD6 School Board, and they all represent their peers and our entire system with pride and distinction. I commend this brilliant group of students for their tremendous passion and skill, and I also want to say a special word of thanks to activities director, Eric Curtis, and coaches TJ Hesler and Ryan Dyer for their impressive leadership and commitment to Bonny Eagle's mission of providing high quality services to all our students. I again convey my deepest congratulations to all of them and I wish them best wishes in their future endeavors. Thank you, Madam Speaker.

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

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

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

Representative **BLIER**: Thank you, Madam Speaker. I also want to join my colleagues in congratulating the Bonny Eagle Girls Cross-Country team on their State Championship. I just want to just say that job well done. We do have some fast runners and we just want to say thank you for being great students in our community. So, I just want to congratulate them. Thank you so much.

## REPORTS OF COMMITTEE

### Divided Report

Majority Report of the Committee on **JUDICIARY** reporting **Ought Not to Pass** on Bill "An Act Restricting State Assistance in Federal Collection of Personal Electronic Data and Metadata" (S.P. 425) (L.D. 1056)

Signed:

Senators:

CARNEY of Cumberland

BAILEY of York

Representatives:

MOONEN of Portland

HENDERSON of Rumford

KUHN of Falmouth

LEE of Auburn

MORIARTY of Cumberland

SHEEHAN of Biddeford

TALBOT ROSS of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-515)** on same Bill.

Signed:

Senator:

BRAKEY of Androscoggin

Representative:

POIRIER of Skowhegan

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

### READ.

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

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## CONSENT CALENDAR

### First Day

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

(S.P. 848) (L.D. 2020) Bill "An Act to Make Technical Updates to the Maine Uniform Securities Act" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass**

(S.P. 849) (L.D. 2021) Bill "An Act to Clarify the Laws Regarding Pharmaceutical Product Stewardship" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass**

(S.P. 862) (L.D. 2034) Bill "An Act to Address Identified Gaps in the Laws Governing Erosion Control and the Natural Resources Protection Act" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass**

(H.P. 1313) (L.D. 2051) Bill "An Act Regarding the Duties of Bail Commissioners" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass**

(H.P. 1316) (L.D. 2054) Bill "An Act to Exclude Certain Operating Under the Influence Crimes from the Immunity Provisions That Are Triggered When Law Enforcement Is Called for a Suspected Overdose" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass**

(H.P. 1302) (L.D. 2040) Bill "An Act to Restore the Board of Dental Practice's Authority to Issue Letters of Guidance" (EMERGENCY) Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-741)**

(H.P. 1405) (L.D. 2192) Resolve, to Ensure That the Independent Commission to Investigate the Facts of the Tragedy in Lewiston Has Necessary Authority to Discharge Its Fact-finding Mission (EMERGENCY) Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-740)**

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

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

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### ENACTORS

#### Pursuant to the Constitution Public Land - Emergency

Resolve, Authorizing the Director of the Bureau of Parks and Lands to Convey Peacock Beach State Park to the Town of Richmond

(H.P. 1323) (L.D. 2061)  
(C. "A" H-733)

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. 113 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.

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### Acts

An Act to Update the Laws Governing Electronic Device Information as Evidence

(H.P. 1021) (L.D. 1576)  
(C. "A" H-732)

An Act to Align the Supplemental Nutrition Assistance Program with Federal Regulations

(S.P. 865) (L.D. 2037)

An Act to Update Air Quality Health Warnings

(H.P. 1306) (L.D. 2044)

An Act to Expand Accreditation Options for Laboratories That Conduct Blood-alcohol or Drug Testing

(H.P. 1312) (L.D. 2050)

An Act Regarding Processing of Applications Under the Natural Resources Protection Act to Ensure Consistency with Shoreland Zoning Laws

(H.P. 1321) (L.D. 2059)

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.

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

### UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Tuesday, February 6, 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 (7) **Ought Not to Pass** - Minority (6) **Ought to Pass as Amended by Committee Amendment "A" (H-305)** - Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Create a Liaison Position Between the Department of Education and the Department of Health and Human Services on Early Childhood Education Matters"

(H.P. 595) (L.D. 948)

- **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 8, 2023 (Till Later Today) by Representative BRENNAN of Portland.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

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

The SPEAKER: The Chair recognizes the Representative from Pittsfield, Representative Collamore.

Representative **COLLAMORE**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I stand today in opposition to the pending motion.

Madam Speaker, we are in crisis. There are not enough child care centers in our State to care for the children that need care. We have child care deserts where people are driving one, two, three hours extra to bring their children to centers or family home centers. I have family members driving an extra hour out of their way to ensure their children have access to quality care and they can go to work.

Madam Speaker, access to child care is a workforce issue. I have said this before; early childhood educators are the workforce behind the workforce, and they need help. As I mentioned last year when this exact motion was made and failed in a 65-65 tie, this bill creates a position within the Department of Education to ensure that there is a bridge between the Department of Education and the Department of Health and Human Services, so early childhood educators have a single contact point to reach out to about questions they may have. For those of you who don't know, when an early childhood educator is looking to open any child care center, whether it's a family center in their home or a larger child care center that serves more families, they are required to work with both Departments. To be a licensed educator, all of your requirements are through the Department of Education. In order to open a center, all of your licensing requirements are through the Department of Health and Human Services. In my own personal experience, and through many similar stories I've heard from my colleagues in the field, this process is arduous at best. You place a phone call to one department to ask a question and they tell you to call the other department. That department then tells you that you need to call the department that just referred you to them. I don't know if you've tried to call a State department as a non-legislator, but the hold times are not short. A person can spend four hours bouncing between departments and still not have their question answered.

Madam Speaker, how many child care centers have not opened because they could not get their questions answered? The liaison position this bill creates can help solve this issue by providing educators with one point of contact for all of their

questions. We have made many changes in an attempt to address our child care crisis, but educators are asking for help, a place to ask questions about changes in laws, about requirements to open a center, what are the benefits or differences of opening a home center versus a full child care center, about reimbursement questions and so much more.

Madam Speaker, with all that in mind, I ask that you please follow my light, defeat this motion so we can allow the bill to become law and help early childhood educators and their families waiting one to two years on waitlists for care. Thank you.

The SPEAKER: The Chair recognizes the Representative from Wiscasset, Representative Polewarczyk.

Representative **POLEWARCZYK**: Madam Speaker, I'd like to think that I always get things right. Unfortunately, that's not the case. In this case, I was very, very wrong. You see, I made the seventh vote here to make the majority. Bad decision, no excuses.

I'd like to think that we are all aware; how do I say this calmly; let me just say that CDS has some issues. The problem is that between the ages of three and five, these children can make the greatest amount of progress. Here in Maine, many of them are on a waiting list for 18 months. You can never recover that time period. Resolving CDS issues is a difficult task, it won't happen easy, it won't happen quickly, but this bill could've provided some interim relief to these children. I have to oppose the current motion. Thank you, Madam Speaker.

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

Representative **BRENNAN**: Thank you, Madam Speaker, Men and Women of the House. I appreciate the comments from the Good Representative from Pittsfield. However, at the end of last session, we specifically carried this bill over because there was a task force that was coming to address many of the issues that have been cited. And that task force, the Commission to Study Expansion of Public Preschool and Early Care and Education, submitted their report last month. That task force examined many of the issues that were discussed in the previous bill and that have been discussed in the Education Committee about CDS, child care, early child care education. The task force Commission offers a comprehensive approach to addressing these issues, including staff issues within the Department of Education.

This Commission report is a direction that we as a Legislature should use to move forward, not to interject one position into the Department of Education and say, go take care of all these issues. And, in fact; in fact, last year, during the public hearing, both the Department of Education and the Department of Health and Human Services submitted testimony saying that this position, they believed, was not necessary. That was further reaffirmed by this Commission report. So, again, I would ask the Legislature at this point to follow the direction and the outline as provided for us by the Commission because it's the best way forward to make sure that we have more child care options, that we have the educational opportunities for young people in the State of Maine. Thank you.

The SPEAKER: The Chair recognizes the Representative from Pittsfield, Representative Collamore.

Representative **COLLAMORE**: Thank you, Madam Speaker. Respectfully, to my colleague across the aisle there; he's right, there was a Commission. I am glad to say I sat on that task force and though we had so many ideas in that task force, not everything made the report. And one of the things that did come up frequently was the inability to reach both departments. And while I understand that the departments are

trying to fix some of these issues and will look at this report, I don't see an issue with helping them fix these issues faster by ensuring this position goes through, creating an official bridge in Statute between the departments. Madam Speaker, also, I ask for a Roll Call.

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

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

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

**ROLL CALL NO. 366**

YEA - Andrews, Ankeles, Arford, Bell, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Crafts, Craven, Crockett, Cyrway, Davis, Dill, Dodge, Doudera, Dunphy, Eaton, Fay, Fredericks, Gattine, Geiger, Gere, Golek, Graham, Hasenfus, Henderson, Hepler, Hobbs, Jauch, Kessler, Kuhn, Lajoie, Landry, LaRochelle, Libby, Madigan, Malon, Mastraccio, Matlack, Meyer, Milliken, Montell, Moonen, Morris, Murphy, O'Neil, Osher, Paul, Perry A, Perry J, Pluecker, Rana, Rielly, Roberts, Roeder, Runte, Sachs, Salisbury, Sargent, Shagoury, Shaw, Sheehan, Sinclair, Skold, Stover, Supica, Terry, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Dhalac, Drinkwater, Ducharme, Faulkingham, Foster, Gifford, Greenwood, Griffin, Guerrette, Hall, Hymes, Jackson, Javner, Lavigne, Lemelin, Lyman, Mason, Millett R, Moriarty, Ness, Newman, Nutting, Parry, Perkins, Poirier, Polewarczyk, Pomerleau, Pringle, Quint, Riseman, Rudnicki, Russell, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Warren, White B, White J, Williams, Wood, Woodsome.

ABSENT - Abdi, Boyle, Copeland, Costain, Cray, Galletta, Gramlich, Haggan, Lanigan, Lee, Lookner, Mathieson, Millett H, O'Connell, Sayre, Walker.

Yes, 73; No, 61; Absent, 16; Vacant, 1; Excused, 0.

73 having voted in the affirmative and 61 voted in the negative, 1 vacancy with 16 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

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HOUSE DIVIDED REPORT - Report "A" (7) **Ought to Pass as Amended by Committee Amendment "A" (H-734)** - Report "B" (3) **Ought Not to Pass** - Report "C" (1) **Ought to Pass as Amended by Committee Amendment "B" (H-735)** - Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act to Require Broadband Internet Access Service Providers to Prorate Customer Bills"

(H.P. 1240) (L.D. 1932)

TABLED - January 30, 2024 (Till Later Today) by Representative ZEIGLER of Montville.

PENDING - **ACCEPTANCE OF ANY REPORT**.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-734)** was **READ** by the Clerk.



Representative FAY of Raymond **PRESENTED House Amendment "A" (H-737) to Committee Amendment "A" (H-734)**, which was **READ** by the Clerk.

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

Representative **FAY**: Thank you, Madam Speaker, Women and Men of the House. This amendment requires a customer seeking a pro rata credit or rebate for interruption in service to submit a request to the provider no later than 60 days after the end of the billing period in which the interruption occurred. Finally, the amendment specifies that a customer is not eligible for a pro rata credit or rebate for interruption in service if the interruption in service was caused by an act beyond the reasonable control of the provider. Thank you, Madam Speaker.

Subsequently, **House Amendment "A" (H-737) to Committee Amendment "A" (H-734)** was **ADOPTED**.

**Committee Amendment "A" (H-734) as Amended by House Amendment "A" (H-737)** 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-734) as Amended by House Amendment "A" (H-737)** thereto and sent for concurrence.

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

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#### **SENATE PAPERS**

The following Joint Order: (S.P. 943)

**ORDERED**, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, February 13, 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.

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Bill "An Act Regarding Incentives for Heat Pumps and Other Weatherization Products and Services"

(S.P. 942) (L.D. 2206)

Came from the Senate, **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and ordered printed.

**REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** in concurrence.

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

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On motion of Representative ARFORD of Brunswick, the House adjourned at 11:10 a.m., until 10:00 a.m., Tuesday, February 13, 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. 943).