

# MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE  
SECOND REGULAR SESSION  
12th Legislative Day  
Tuesday, February 13, 2024

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

Prayer by Reverend Craig Fortin, East Auburn Baptist Church.

National Anthem by Jennifer Bragdon, New Gloucester.

Pledge of Allegiance.

Medical Provider of the Day, Katie Adams, MD, Lincoln.

The Journal of Thursday, February 8, 2024 was read and approved.

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**COMMUNICATIONS**

The Following Communication: (H.C. 412)

**STATE OF MAINE  
OFFICE OF THE GOVERNOR  
1 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0001**

February 9, 2024

The Honorable Rachel Talbot Ross

Speaker of the House of Representatives

2 State House Station

Augusta, Maine 04333

RE: Paid Family Medical Leave Benefits Authority

Dear Speaker Talbot Ross:

Pursuant to Title 3 M.R.S.A., §154, I am withdrawing my nomination of Barrett Gray of Stonington for appointment to the Paid Family and Medical Leave Benefits Authority at the request of the nominee.

This nomination is currently pending before the Joint Standing Committee on Labor and Housing.

Thank you for your assistance in this matter.

Very truly yours,

S/Janet T. Mills

Governor

**READ and ORDERED PLACED ON FILE.**

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The Following Communication: (H.C. 408)

**STATE OF MAINE  
CHILD DEVELOPMENT SERVICES  
78 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0078**

January 31, 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 CDS Annual Legislative Report due by February 1, 2024.

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

Thank you.

Sincerely,

S/Erin Frazier

State Director of Special Services, Birth to 22

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

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The Following Communication: (H.C. 409)

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

February 13, 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 Taxation has approved the request by the sponsor, Representative Madigan of Waterville, to report the following "Leave to Withdraw:"

L.D. 633 An Act to Dedicate Revenue from Alcohol Tax to Alcohol Use Disorder Treatment

Pursuant to Joint Rule 310, the Committee on Taxation has approved the request by the sponsor, Representative O'Neil of Saco, to report the following "Leave to Withdraw:"

L.D. 916 An Act to Establish a Windfall Profits Tax on Electric Utilities to Assist with Residential Heating Costs

Pursuant to Joint Rule 310, the Committee on Taxation has approved the request by the sponsor, Representative Terry of Gorham, to report the following "Leave to Withdraw:"

L.D. 1010 An Act to Provide Tax Relief for Working Families

Pursuant to Joint Rule 310, the Committee on Taxation has approved the request by the sponsor, President Jackson of Aroostook, to report the following "Leave to Withdraw:"

L.D. 1961 An Act to Support Potato Processing in Maine

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. 410)

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

February 13, 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: "

Health and Human Services

- L.D. 328 An Act to Improve Mental Health in Maine
- L.D. 500 An Act to Improve the Office of the Child Welfare Services Ombudsman
- L.D. 906 An Act to Ensure Physicians Receive Full Diagnostic Test Data Concerning Tick-borne Diseases
- L.D. 1426 An Act to Secure Housing for the Most Vulnerable Maine Residents by Amending the Laws Governing Municipal General Assistance
- L.D. 1675 An Act to Amend the Laws Governing the General Assistance Program Regarding Eligibility, Housing Assistance and State Reimbursement and to Establish a Working Group (EMERGENCY)

Taxation

- L.D. 191 An Act to Amend the Laws Regarding Certain Business Equipment Tax Benefits
- L.D. 1027 An Act to Prohibit Local Sales Taxes
- L.D. 1335 An Act to Amend the Property Tax Stabilization for Senior Citizens Law
- L.D. 1538 An Act to Provide Tax Benefits to Persons Constructing Accessory Dwelling Units
- L.D. 1685 An Act to Increase Acreage Eligibility and Change Requirements for Filing Plans Under the Maine Tree Growth Tax Law
- L.D. 1774 An Act Exempting Certain Emergency Distributions and Emergency Savings Accounts from Taxation
- L.D. 1893 An Act to Allow a Municipality to Impose a Fee on Short-term Rentals for the Benefit of That Municipality
- L.D. 1999 An Act to Ensure the Equitable Treatment of Military Retirement Plan Income
- L.D. 2005 An Act to Eliminate the Aircraft Excise Tax

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

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

The Following Communication: (H.C. 411)  
**STATE OF MAINE**  
**HOUSE OF REPRESENTATIVES**  
**SPEAKER'S OFFICE**  
**AUGUSTA, MAINE 04333-0002**

February 13, 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 8, 2024

Robert L. Carey of East Boothbay for appointment as the Superintendent of the Bureau of Insurance.  
Pursuant to Title 24 MRSA §201, this appointment is contingent on confirmation by the Maine State Senate after review by the Joint Standing Committee on Health Coverage, Insurance and Financial Services.

Sincerely,  
S/Rachel Talbot Ross  
Speaker of the House

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

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

**PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE Pursuant to Statute**

**Administrator of the unorganized territory**  
Representative PERRY for the **Administrator of the unorganized territory** pursuant to the Maine Revised Statutes, Title 36, section 1604 asks leave to report that the accompanying Bill "An Act to Establish Municipal Cost Components for Unorganized Territory Services to Be Rendered in Fiscal Year 2024-25" (EMERGENCY)

(H.P. 1414) (L.D. 2207)

Be **REFERRED** to the Committee on **TAXATION** and printed pursuant to Joint Rule 218.

The Report was **READ** and **ACCEPTED**.  
The Bill was **REFERRED** to the Committee on **TAXATION** and ordered printed pursuant to Joint Rule 218.  
Sent for 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 item:

**In Memory of:**

Kevin Howell, of Carmel. Mr. Howell was serving as Carmel's Town Manager, having previously served the town in other capacities, including as a Code Enforcement Officer and Interim Town Manager. Mr. Howell will be long remembered and sadly missed by his family and friends and all those whose lives he touched;

(HLS 747)

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. We recognize that every day, people in this world pass away. They pass away from natural causes; they pass away from tragic accidents. On January 26th, we lost our Town Manager, Kevin Howell. He was a father, he was a husband, son, friend, mentor. And when a community loses someone who is so integral to our everyday lives that we take for granted, it is felt by everyone.

I always tell the story of when I first met Kevin. It was way before I was in the Legislature, and I went to the town office to look into what I needed to do to get a building permit because I wanted to build a shed. In other towns where I had my camp, I had to submit the proposal, write it up, dimensions, the Planning Board had to plan it, put it on their calendar, they had to hear about it, they had to come back the next month, bring it up as old business, vote on it. I went in and I asked what I needed to do about a building permit, Kevin heard me, he came in and he said come in my office. He got out a blank piece of paper, he says draw me your lot, draw me your house and where you're going to put this building. As I was discussing and drawing, he

brought out the building permit pad and wrote me out my permit. He was that kind of guy. He was a doer. At that time, he was a CEO, Code Enforcement Officer, and interim Town Manager. He went on to do great things for the Town of Carmel. I can't sit here today and tell you everything, but I won't be brief, either, in telling about Kevin's life.

His wife and 4-year-old son, Sawyer, are not here today. Emotions are still raw. I attended the remembrance celebration for Kevin at the Carmel Grange Hall on Saturday. He was enthralled by our Grange Hall; as many people that we listen to today talk about their little towns and their Grange Halls, everything happened at our Grange Hall. I'm a member of the American Legion, and we have our meetings at the Grange Hall. We vote, that's our polling place, the Grange Hall. We have wedding receptions, bingo events, dances, all kinds of things, suppers, at the Grange Hall. That's where Kevin's wife, Katie, wanted to have Kevin's remembrance was at the Grange Hall.

I cannot summarize Kevin's life. He was humble, he was unassuming, he was on the Blue Ribbon Commission for EMS, he represented the municipalities. He was very proud to do that. I met with him on the legislative level a couple times when constituents would call me because they didn't get the answer they wanted to from Kevin, and the first place that I would go to was Kevin and say, tell me the real deal. And he would, and he'd fill me in and we always made the constituents feel like they were getting our attention and if there was anything that we could do, Kevin would do it.

I put together an 11th-hour Wreaths Across America this past December. When I say 11th-hour, I say within a week of putting this ceremony together. I went to Kevin, he made sure that he put it out on the town's website. When we got there to do the ceremony on that Saturday, he had the crew from the fire department put out 30 chairs out in the parking lot. He had personally shoveled the memorial where we were going to have the event. He didn't ask somebody to shovel it, he shoveled it. I could go on, but I won't. That gives you a basic understanding of who Kevin was.

With your indulgence and permission, I would like to read what his wife, Katie, wrote about Kevin for his memorial card. "Most of you know Kevin as the Town Manager, but it took a lot of things falling into place that were just right to lead up to that. I was consulting for Northern Light Health and Kevin was planning to come visit me from Florida, where we were living. I was renting a place in Orrington, and Kevin came up to visit with our three dogs and we just never left. Kevin was one of those people that he wasn't from Maine, but he got here as fast as he could, and once he got here, he stayed."

She continues, "The Maine house hunt began when I mentioned a house for sale that I wanted to go see. Kevin wasn't keen on the idea of living in Carmel. He wanted to live closer to Acadia. But one weekend while yardsaling, Kevin decided that we could drive by the house I wanted to see, even though it was already under contract. I opened the realtor website to look for the address, and there was our house, later named Cedar Hollow, just listed that morning. We drove around for what felt like an hour trying to find it, scheduled a showing and made an offer all within a few short hours. Once living in Carmel, a position opened up for Kevin as a Code Enforcement Officer. He waffled a bit about whether or not he would interview for it, but decided to go for it in the end. Not long after that, he added interim Town Manager to his résumé and then Town Manager.

"Although town events took hours and hours of planning, Kevin was always most excited about them because they would be especially enjoyed by the children. And they also pulled the community together in a way that nothing else could. He would be so proud of this community and the support you have provided for his wife and his son. The loss of Kevin is unfathomable. A little boy has lost an amazing father. I have lost my life partner and this town has lost a remarkable leader. But he will live on forever in our minds and in our memories. His presence will be felt at every town event and his personality will live on through a redheaded, blue-eyed little boy." Thank you, Madam Speaker.

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

Representative **SALISBURY**: Thank you, Madam Speaker. Madam Speaker, first, I would just like to offer my condolences to the Representative from Carmel. Thank you for sharing Mr. Howell with the rest of us.

You and I both had the pleasure, and along with other Members of this Body, of serving on the EMS Blue Ribbon Commission with Kevin. And the thing that struck me the most about him was his role as the Town Manager. It was something we were sorely needing that we didn't even know. His practical knowledge that brought a room full of firefighters and paramedics and just a whole host of people that had a common goal, but his practical, no-nonsense, active everyday intuition was really sorely needed and we didn't realize it. When he told us about the story when he first came on to be the Town Manager and he watched as ambulance companies were riding through his town to go to another town to answer calls and he just looked at it from a practical business point of view. And I remember sitting back, thinking okay, that's perfect, that's just exactly what we needed, because there was a lot of emotion and a lot of history that people were carrying about them, but he just brought us back to that very today feeling of what's the practical; what's the business sense of all of this, and it was very much appreciated. And though I never met him in person, I always looked forward to everything that he had to say and offer. So, thank you for sharing him with this Blue Ribbon Commission and his input was invaluable. Thank you.

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

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**REPORTS OF COMMITTEE**

**Ought to Pass Pursuant to Statute**

Representative HEPLER for the **Joint Standing Committee on Marine Resources** on Bill "An Act Removing the Lobster Advisory Council from the State Government Evaluation Act Review Requirements"

(H.P. 1415) (L.D. 2208)

Reporting **Ought to Pass** pursuant to the Maine Revised Statutes, Title 3, section 955, subsection 4.

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

The Bill was **READ ONCE**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

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**Refer to the Joint Select Committee on Housing Pursuant to Joint Order**

Representative GERE for the **Joint Select Committee on Housing** on Bill "An Act to Increase the Cap on Bonds Issued by the Maine State Housing Authority to Reflect Current Housing Production Needs in the State"

(H.P. 1416) (L.D. 2209)

Reporting that it be **REFERRED** to the Joint Select Committee on **HOUSING** pursuant to Joint Order 2023, H.P. 3, section 3.

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

The Bill was **REFERRED** to the Joint Select Committee on **HOUSING** and sent for concurrence.

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

**Divided Report**

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act Requiring Climate Impact Notes on Proposed Transportation Legislation and Agency Rules"

(H.P. 579) (L.D. 932)

Signed:

Senator:

FARRIN of Somerset

Representatives:

CRAFTS of Newcastle

ALBERT of Madawaska

ANKELES of Brunswick

EATON of Deer Isle

MASON of Lisbon

PARRY of Arundel

THERIAULT of Fort Kent

WHITE of Waterville

WHITE of Guilford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-743)** on same Bill.

Signed:

Senator:

CHIPMAN of Cumberland

**READ.**

Representative CRAFTS of Newcastle moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

Representative **WARREN**: I rise in opposition to the current motion and just wanted to say, without any request for Roll Call, that this is an issue and I think this is a bill that, although it doesn't have requisite support from the Committee at this time, raises an issue that remains unaddressed. We can talk about generation, we can talk about solar, we can talk about wind, we can talk about hydro, but if we don't talk about transportation in the State of Maine, we're going nowhere to address our climate goals. And it will require investment and it will not just require the Climate Council to act, but every single member that is involved with those issues needs to play a part. And we're in the year 2024, and I don't see that plan yet from the Department. I don't see that plan and those actions yet from this Body. That's why I brought the bill forward and though I absolutely respect the will of the Committee, I wanted to make

clear on this House Floor; currently our emissions, the majority are in transportation. That remains unresolved and we don't have a plan to address that. Thank you.

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

**CONSENT CALENDAR**

**First Day**

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

(S.P. 362) (L.D. 865) Bill "An Act to Clarify the Roles and Responsibilities of the Board of Environmental Protection by Adjusting the Requirements for Certain Hearings and for Certain Agencies by Adjusting the Requirements for Cost-Benefit Analysis" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-518)**

(S.P. 759) (L.D. 1886) Resolve, to Construct a New District Headquarters Building for the Bureau of Forestry in Fort Kent Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-517)**

(S.P. 886) (L.D. 2093) Bill "An Act to Address Food Insecurity by Helping Maine Residents Access Locally Produced Food" (EMERGENCY) Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-516)**

(H.P. 231) (L.D. 380) Bill "An Act Regarding Monhegan Plantation" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-744)**

(H.P. 1318) (L.D. 2056) Resolve, Designating Route 127 in Arrowsic the Private Merwin A. Delano, Jr. Memorial Highway Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-742)**

(H.P. 1358) (L.D. 2134) Bill "An Act Regarding Responsibility for Activities Intended to Increase the Use of Refillable and Reusable Beverage Containers" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-745)**

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

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

**ENACTORS**

**Emergency Measure**

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

(H.P. 1405) (L.D. 2192)

(C. "A" H-740)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 120 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 Make Technical Updates to the Maine Uniform Securities Act

(S.P. 848) (L.D. 2020)

An Act to Clarify the Laws Regarding Pharmaceutical Product Stewardship

(S.P. 849) (L.D. 2021)

An Act to Address Identified Gaps in the Laws Governing Erosion Control and the Natural Resources Protection Act

(S.P. 862) (L.D. 2034)

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.

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

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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 Thursday, February 8, 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 (12) **Ought to Pass as Amended by Committee Amendment "A" (H-674)** - Minority (1) **Ought to Pass as Amended by Committee Amendment "B" (H-675)** - Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act to Establish Minimum Pay for Educational Technicians and Other School Support Staff"

(H.P. 621) (L.D. 974)

- **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 21, 2023 (Till Later Today) by Representative BRENNAN of Portland.

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

On motion of Representative BRENNAN of Portland, the Bill and all accompanying papers were **COMMITTED** to the Committee on **EDUCATION AND CULTURAL AFFAIRS** 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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The SPEAKER: The Chair recognizes the Representative from Waterboro, Representative Woodsome.

Representative **WOODSOME**: Thank you Madam Speaker, permission to speak 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 **WOODSOME**: I have a concern about the organization and effectiveness of the amount of bills that we are taking up recently. I think we went through this last year and it was very frustrating to most of us. I believe it was addressed over the months that we were not here. And I'm questioning; do we need to be here twice a week? Can we not be here, say, on Thursday and handle all the business? I'm also concerned about the calendar going three days a week. And if I could have an explanation from the Chair or anyone else here, I would appreciate it.

The SPEAKER: The Representative has posed a question to this Body to any Member who cares to answer.

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On motion of Representative THORNE of Carmel, the House adjourned at 11:07 a.m., until 10:00 a.m., Thursday, February 15, 2024, in honor and lasting tribute to Kevin Howell of Carmel.