

MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE
SECOND REGULAR SESSION
14th Legislative Day
Tuesday, February 20, 2024

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

Prayer by Pastor Cornell Preda, Seventh-day Adventist Church, Farmington.

National Anthem by Abigail Gerrish, Mexico.

Pledge of Allegiance.

Medical Provider of the Day, Samantha Paradis, FNP-C, CARN-AP, Caribou.

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

The Journal of Thursday, February 15, 2024 was read and approved.

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2024 and June 30, 2025" (EMERGENCY)

(H.P. 1420) (L.D. 2214)

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

Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** suggested and ordered printed.

REFERRED to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and ordered printed.

Sent for concurrence.

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

SENATE PAPERS

The following Joint Resolution: (S.P. 944)

JOINT RESOLUTION EXPRESSING THE SUPPORT OF THE MAINE LEGISLATURE FOR KEEPING MAIL PROCESSING AT THE EASTERN MAINE PROCESSING AND DISTRIBUTION FACILITY

WHEREAS, the United States Postal Service is an essential service to the American public; and

WHEREAS, the United States Postal Service's report dated January 30th, 2024 recommends consolidating outgoing mail processing at the Eastern Maine Processing and Distribution Facility with the Southern Maine Processing and Distribution Center; and

WHEREAS, the Delivering For America plan devised by United States Postmaster General Louis DeJoy has already caused delays in mail delivery, lower service standards, reductions in workforce and lowered confidence in the United States Postal Service in general; and

WHEREAS, Maine, being a predominantly rural state, is reliant on the United States Postal Service for prompt and efficient delivery of the mail; and

WHEREAS, Maine has unique geographical and environmental challenges affecting transportation; and

WHEREAS, the shifting of mail processing operations currently proposed by the United States Postal Service away from the Eastern Maine Processing and Distribution Facility may further delay delivery service to the people of Maine; and

WHEREAS, the United States Postal Service has failed to address how these proposed changes may affect staffing and service standards for post offices served by the Eastern Maine Processing and Distribution Facility; 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 express our support for keeping mail processing at the Eastern Maine Processing and Distribution Facility at its current status and express our belief that the proposed consolidation is not in the best interests of Maine people, that processing and transportation methods developed in other parts of the country are insufficient to address Maine's unique geography and climate and that the United States Postal Service should reverse its decision on consolidation of services at the Eastern Maine Processing and Distribution Facility; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to Postmaster General Louis DeJoy, the Board of Governors of the United States Postal Service and all members of Maine's Congressional Delegation.

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

READ and **ADOPTED** in concurrence.

The following Joint Resolution: (S.P. 945)

JOINT RESOLUTION RECOGNIZING MARCH 2024 AS BLEEDING DISORDERS AWARENESS MONTH

WHEREAS, bleeding disorders, which are distinguished by the inability to form a proper blood clot, are characterized by extended bleeding after injury, surgery, trauma or menstruation and can lead to significant morbidity and can be fatal if not treated effectively; and

WHEREAS, many individuals with hemophilia became infected with HIV and hepatitis C in the 1980s due to the contamination of the blood supply and blood products; and

WHEREAS, Bleeding Disorders Awareness Month will generate greater awareness and understanding of not only hemophilia but all inheritable bleeding disorders, including von Willebrand disease, which alone affects an estimated one percent of the United States population, or more than 3.2 million individuals; and

WHEREAS, Bleeding Disorders Awareness Month will foster a greater sense of community and shared purpose among all individuals with inheritable bleeding disorders; and

WHEREAS, Bleeding Disorders Awareness Month will elevate awareness of and engagement in the inheritable bleeding disorders journey for the general public, enabling the prevention of illness, unnecessary procedures and disability; 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 March 2024 as Bleeding Disorders Awareness Month.

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

COMMUNICATIONS

The Following Communication: (H.C. 416)

STATE OF MAINE

131ST MAINE LEGISLATURE

January 12, 2024

Honorable Valerie Stanfill, Chief Justice

Maine Supreme Judicial Court

Capitol Judicial Center

1 Court Street

Augusta, Maine 04330

Dear Chief Justice Stanfill:

We are pleased to invite you to address a Joint Session of the 131st Maine Legislature in the House Chamber on Wednesday, February 21 at 10:45 a.m. concerning the State of the Judiciary and any other matters that you may care to bring to our attention. We look forward to seeing you then.

Sincerely,

S/Troy D. Jackson

President of the Senate

S/Rachel Talbot Ross

Speaker of the House

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 417)

STATE OF MAINE

131ST MAINE LEGISLATURE

January 12, 2024

Honorable Janet T. Mills

Governor, State of Maine

#1 State House Station

Augusta, Maine 04333

Dear Governor Mills:

We are pleased to invite you to a Joint Session of the 131st Maine Legislature in the House Chamber on Wednesday, February 21 at 10:45 a.m. for the State of the Judiciary Address. We look forward to hearing from you.

Sincerely,

S/Troy D. Jackson

President of the Senate

S/Rachel Talbot Ross

Speaker of the House

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 418)

STATE OF MAINE

CLERK'S OFFICE

2 STATE HOUSE STATION

AUGUSTA, MAINE 04333-0002

February 20, 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 Committee has voted unanimously to report the following bill out "Ought Not to Pass:"

State and Local Government

L.D. 371 An Act to Address Certain Local Zoning Ordinances

Sincerely,

S/Robert B. Hunt

Clerk of the House

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

The Following Communication: (S.C. 932)

MAINE SENATE

131ST LEGISLATURE

OFFICE OF THE SECRETARY

February 15, 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 Agriculture, Conservation and Forestry:

- Thomas Dubois of Salem Township for appointment, to the Maine Land Use Planning Commission.

Upon the recommendation of the Committee on Environment and Natural Resources:

- Samantha D. Horn of Readfield for reappointment to the Maine Outdoor Heritage Fund Board,
- Steven Tatko of Willimantic for reappointment, to the Maine Outdoor Heritage Fund Board.

Upon the recommendation of the Committee on Labor and Housing:

- Jenni Tilton-Flood of Clinton for appointment, to the Paid Family and Medical Leave Benefits Authority,
- Dr. Jay Naliboff, MD of Chesterville for appointment, to the Paid Family and Medical Leave Benefits Authority,
- Michelle Corry of Scarborough for appointment, to the Paid Family and Medical Leave Benefits Authority,
- Christopher K. Washburn of Windham for appointment, to the Paid Family and Medical Leave Benefits Authority,
- Samuel J. Hight of Skowhegan for appointment, to the Paid Family and Medical Leave Benefits Authority,
- Benjamin K. Grant of Portland for appointment, to the Paid Family and Medical Leave Benefits Authority,
- Sarah Conroy of Lewiston for appointment, to the Paid Family and Medical Leave Benefits Authority,
- Ranae L'Italien of Sidney for appointment, to the Paid Family and Medical Leave Benefits Authority,
- David Barber of Cape Elizabeth for appointment, to the Paid Family and Medical Leave Benefits Authority,
- Maria Fox, Esq. of Portland for appointment, to the Paid Family and Medical Leave Benefits Authority.

Best Regards,

S/Darek M. Grant

Secretary of the Senate

READ and **ORDERED PLACED ON FILE**.

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Liliana Tripp, of Oxford, 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 727)

Presented by Representative JACKSON of Oxford.

Cosponsored by Senator BENNETT of Oxford.

On **OBJECTION** of Representative JACKSON of Oxford, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Oxford, Representative Jackson.

Representative **JACKSON**: Thank you, Madam Speaker, and Ladies and Gentlemen of the House. I have the great pleasure to introduce Ms. Liliana Tripp from my hometown of Oxford. Liliana attends the Oxford Elementary and is already making her mark in our community as the recipient of the Spirit of America Award. Liliana is accompanied by her parents, Laura and Allen Tripp, also of Oxford.

During the COVID pandemic, Liliana was homeschooled and did community service projects on Fridays. As the community needs became more obvious, Liliana, with the help and support of her parents, set up a 501(c)(3) organization called From Lil with Love, where she could continue her projects officially year-round. Some of her many projects included Christmas stockings and Easter baskets for seniors and food collection for our local pantry. Liliana is a wonderful example of compassion for her community and an impressive role model for all of us. I am pleased that she and her parents could join us today. Thank you, Liliana, for your dedication, and keep up the great work.

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

Recognizing:

the York High School Girls Indoor Track Team, which won the Western Maine Conference Championship. We extend our congratulations and best wishes;

(HLS 749)

Presented by Representative SARGENT of York.

Cosponsored by Senator LAWRENCE of York, Representative RUNTE of York.

On **OBJECTION** of Representative SARGENT of York, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

the York High School Boys Indoor Track Team, which won the Western Maine Conference Championship. We extend our congratulations and best wishes;

(HLS 750)

Presented by Representative SARGENT of York.

Cosponsored by Senator LAWRENCE of York, Representative RUNTE of York.

On **OBJECTION** of Representative SARGENT of York, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **SARGENT**: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, I rise to salute the fleet-footed young women and men of York. The events that triggered these Sentiments, as you just heard, are that both the Boys Indoor Track Team and the Girls Indoor Track Team have recently won the Western Maine Conference Championship.

As I looked into some of the research about how unique that is that both the male and the female teams should win, I found some absolutely striking other facts that I must share. In the last 20 years, since 2004, the cross-country indoor track and outdoor track teams of the crazy Wildcats from York High School; the boys have won 13 State Championships and the girls have won 10 State Championships, including their latest last night. So, I don't know if it's the water, I don't know if it's the Long Sands Beach where they run, but I think that this is an extraordinary achievement and I salute their coach, Ted Hutch.

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

Recognizing:

Norway Savings Bank, which has been recognized by BauerFinancial, a prominent national bank rating firm, with the "Best of Bauer" distinction for having earned and maintained the firm's five-star rating for 25 years or longer. Norway Savings Bank has held the rating for 34 years, showing that the bank is one of the strongest banks in the nation. The bank also received an "Outstanding" rating on its latest Community Reinvestment Act evaluation administered by the Federal Deposit Insurance Corporation. This is the third consecutive examination cycle that the bank has achieved that rating. The bank received the rating for its demonstrated leadership and excellent responsiveness to the credit needs of individuals of all income levels and small businesses, including those located in low- and moderate-income neighborhoods. We extend our congratulations and best wishes;

(HLS 751)

Presented by Representative MILLETT of Waterford.

Cosponsored by Senator BENNETT of Oxford, Senator KEIM of Oxford, Representative ANDREWS of Paris, Representative JACKSON of Oxford, Representative RISEMAN of Harrison.

On **OBJECTION** of Representative MILLETT of Waterford, was **REMOVED** from the Special Sentiment Calendar.

READ.

On motion of the same Representative, **TABLED** pending **PASSAGE** and later today assigned.

REPORTS OF COMMITTEE

Ought to Pass Pursuant to Resolve

Representative LANDRY for the **Joint Standing Committee on Inland Fisheries and Wildlife** on Bill "An Act to Amend the Start Date of the September Upland Game Season" (H.P. 1422) (L.D. 2216)

Reporting **Ought to Pass** pursuant to Resolve 2023, chapter 36, section 3.

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.

Refer to the Committee on Judiciary Pursuant to Statute

Representative MOONEN for the **Joint Standing Committee on Judiciary** on Bill "An Act to Implement the Recommendations of the Right to Know Advisory Committee Regarding Public Records Exceptions" (H.P. 1421) (L.D. 2215)

Reporting that it be **REFERRED** to the Committee on **JUDICIARY** pursuant to the Maine Revised Statutes, Title 1, section 411, subsection 6, paragraph G.

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

The Bill was **REFERRED** to the Committee on **JUDICIARY** and sent for concurrence.

Refer to the Committee on Judiciary Pursuant to Resolve

Representative MOONEN for the **Joint Standing Committee on Judiciary** on Bill "An Act to Remove the Age-related Statutory Prerequisite for Sealing Criminal History Record Information" (H.P. 1423) (L.D. 2218)

Reporting that it be **REFERRED** to the Committee on **JUDICIARY** pursuant to Resolve 2023, chapter 103, section 7.

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

The Bill was **REFERRED** to the Committee on **JUDICIARY** and sent for concurrence.

Divided Reports

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought Not to Pass** on Bill "An Act to Update the Laws Governing the University of Maine System's Board of Agriculture and to Rename the Maine Agricultural Experiment Station" (H.P. 966) (L.D. 1511)

Signed:

Senators:

INGWERSEN of York
BLACK of Franklin
HICKMAN of Kennebec

Representatives:

COSTAIN of Plymouth
CRAY of Palmyra
GUERRETTE of Caribou
HALL of Wilton
JACKSON of Oxford
JAUCH of Topsham
OSHER of Orono
SHAW of Auburn

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-749)** on same Bill.

Signed:

Representatives:

PLUECKER of Warren
HEPLER of Woolwich

READ.

On motion of Representative PLUECKER of Warren, the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought Not to Pass** on Bill "An Act to Reduce Electricity Rates" (H.P. 452) (L.D. 683)

Signed:

Senators:

LAWRENCE of York
GROHOSKI of Hancock

Representatives:

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

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-750)** on same Bill.

Signed:

Senator:

HARRINGTON of York

Representatives:

BABIN of Fort Fairfield
DUNPHY of Embden
FOSTER of Dexter
PAUL of Winterport

READ.

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

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

Representative **ZEIGLER**: This bill is not necessary as the Maine Public Utilities Commission is already tasked to modify the net energy billing program by the bill we passed last session.

The SPEAKER: The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: Thank you, Madam Speaker. I rise in opposition to the pending motion. I stand in support of LD 683, "An Act to Reduce Electricity Rates," which will reduce electricity rates. We need to change the disastrous net energy billing policy that will continue to place an

unnecessary financial burden on Mainers for decades to come. The bill that was passed last session does not address that.

There seemed to be some hope last session with LD 1347. It sought to rein in the \$220 million in additional costs placed on ratepayers. After months of work, a bipartisan agreement seemed to have been reached. Representative Warren did yeoman's work on that bill with Representative Foster and it seemed like there was hope, but the legislation died between the houses.

Now, the Statutory framework has shifted but this bill has drawn up to address those changes. There are glaring issues in the net energy billing policy. I want to remind the Members again; this bill will reduce energy rates. I urge the Members to put partisan division aside. I urge the Members to put people over politics. I urge the Members to put the people of Maine ahead of special interests. I urge the Members to reduce energy rates and vote no on the pending motion. Madam Speaker, I request 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**: The Chair recognizes the Representative from Dexter, Representative Foster.

Representative **FOSTER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I also stand in opposition to the pending motion. Contrary to what you've heard, and in short, LD 683 would incorporate in Statute a requirement that net energy billing rates be set by the PUC. Rates fair to both solar developers and their out-of-state investors and, more importantly, to Maine ratepayers. That is not currently set up in Statute in that manner.

I just wanted to review some statistics with you that you've heard before, especially during debate last session, but the estimates remain the same; \$220 million is estimated the net energy billing annual cost to Maine ratepayers. That includes, from the net costs of the tariff rate program, an estimate of \$160.7 million for the two utilities and for lost transmission revenues from kilowatt-hour credit program of \$24.5 million of the two utilities, and for lost distribution revenues from kilowatt-hour credit program of \$31.2 million for the two utilities. That's \$216.4 million. That's an estimate. It's the same we discussed last session, and I would be surprised if it doesn't increase. That would be a total of \$4 billion of unnecessary charges to Maine ratepayers over the next 20 years.

Madam Speaker, I sent to Members of the House a little bit earlier this morning a couple of documents that I will address here, but I wanted to make sure that it was clear I was reading from what I consider to be factual statements. First of all, from the Office of the Public Advocate, reviewing the net energy billing project activity from 2020 to 2023, the target in Statute was 750 megawatts. However, as of the fourth quarter of 2023, the State of Maine already had in operation, operational projects as signified by the PUC of 662 megawatts. The projects in the queue are 1,246 megawatts and the total projects that have been proposed is 1,908 megawatts, significantly more than the original 750-megawatt target. Again, this could add even more to the estimates that I have just referred to.

And finally, I also sent this document for you, I'll let you read it when you have a moment, but more importantly, before this vote, I wanted to go through some portions of this. This is a document dated January 8, 2024, and Madam Speaker, I've heard many times in this Chamber that we lead, and I understand what that word *Dirigo* means; I learned it, if not before, in eighth grade from Mrs. Brown in our Maine History

class. However, I have found in my time here that quite often we really don't lead, we follow legislation that's already happened in other states. That is sometimes a benefit. Sometimes we can learn from that and not make the same mistakes others have, sometimes we don't, but we can also learn from what they have learned. In this particular case, I'd like to address a letter sent to the Minnesota Public Utilities Commission, and I will read some excerpts from that.

First of all, I would like to say that when you hear the term CSG, let's make that net energy billing, because that's basically what it is in Minnesota. Also, when you hear Minnesota, I think in many cases here, you can substitute Maine. And I will quote in this letter: "Our state has committed to 100% clean energy by 2040, but not all renewable energy is created equal. To meet our state's goal, we have to keep focus on affordability and reliability. Based on the November 2, 2023, PUC order, Minnesota's CSG costs in 2024 will be charged to all Xcel;" substitute Versant or CMP; "ratepayers at \$142 per megawatt hour, while current market rate solar costs are approximately \$61 per megawatt hour. By comparison, in 2022, when energy costs were about \$37 per megawatt hour." This cost comparison is relevant to the question before the PUC in this docket, that the Minnesota PUC was hearing. Higher than necessary energy costs threaten our clean energy goals. In particular, a consequence of higher electric prices is that fewer people can afford to switch to electric vehicles, fund building electric panel upgrades, purchase more efficient home heat pumps or other clean technologies. Currently, 32.2% of the total 2024 forecasted Xcel fuel clause costs, about \$329 million, is allocated for existing CSG projects. Yet according to testimony on November 2, 2023, at the PUC, those CSG projects provide just 4.3% of the total energy produced. The current market costs of that same amount of solar energy is approximately \$80 million, meaning all Xcel territory ratepayers in 2024 will pay annual above-market cost charges of roughly \$250 million. Again, Madam Speaker, that's in Minnesota. Reading again from this letter: "Such above-market costs are almost entirely borne by non-CSG subscribers. Further, Minnesota ratepayers who do not reside in Xcel service territory pay no such above-market cost, creating inequity between our state's energy consumers. This fairness is particularly untimely when we are asking Minnesotans to all come together as one to support our climate and clean energy goals."

Minnesota regulators are hardly alone in addressing these issues as states transition to cleaner forms of energy. In the most prominent example, since December 2022, California regulators unanimously voted twice to reduce the burden on ratepayers. The first order was to reduce the daytime solar compensation bill credit by 75%. The second was to limit the compensation of battery storage; which we are really just in the early days of here in Maine, I might add; the second was to limit the compensation of battery storage energy sold back during the day. Both orders cited unfair cost shifting to non-solar customers as the primary justification. Hawaii ended its net metering program in 2015, after seeing a sharp increase in the costs borne by non-solar customers, and Arizona is considering a similar change. These examples are evidence of a call to action regarding the cumulative impacts of above-market costs on ratepayers. According to the 2023 report by the National Academy of Sciences, more than a dozen states ended their net metering programs in the last decade. DG technology costs and market maturity are at a stage, both technically and economically, where traditional net metering policies to support the deployment of DGs need to be assessed and revisited.

Madam Speaker, this letter was sent to the Minnesota PUC by the majority members from the Senate; of their Energy Committee, Senator Nick Frenz, who was the Assistant Majority Leader and also the Chair of the Energy Committee, and four other Senators, all in the majority party in Minnesota.

Madam Speaker, let me be very clear. Since one of the first bills passed in the 129th which was to end gross metering until this day, the administration and the majority in this Legislature have supported bill after bill adding unnecessary costs to ratepayers in Maine. LD 683 offers us an opportunity to correct this now and not wait until later. Let's listen to what the Democrats in Minnesota had to say to their PUC and let's vote against the pending motion and bring relief to Maine ratepayers today. Thank you, Madam Speaker.

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

Representative **RUNTE**: Thank you, Madam Speaker. Using net energy billing or some other method to prime the pump for solar markets has been a universal practice and isn't just limited to U.S. states, but other countries. Over time, these programs evolve as the markets for solar mature. And just as we'd heard from my colleague from Dexter, several states have significantly modified their programs over time in terms of how compensation for the solar is calculated and project eligibility. Some have ended formal NEB programs, replacing them with compensation based on the value of their energy at time of use and at location, which is what California has done. And also, from what my colleague has said, what happened in Minnesota is unique to local conditions. All of these program adjustments in other states have also been unique to local conditions based on how the program began, the nature of the utilities involved and how their local or regional wholesale grid operates.

Maine has its own unique characteristics and last year, Maine decided time had come to adjust its unique NEB program. The bill that made those adjustments was signed last fall and the PUC has only begun to implement its provisions. It will take some time to be able to assess the effectiveness of these changes. Maine cannot have an orderly market for solar if it changes the rules for how that market operates with every session of the Legislature. And, indeed, the consumer advocate, who had campaigned for a bill similar to the one before us right now, agrees that we need to take the time to implement the adjustments that were made in the bill passed last session and evaluate their value before any new adjustments are made. I urge an Ought Not to Pass on this bill. Thank you.

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. 369

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

NAY - Adams, Albert, Andrews, Arata, Ardell, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy,

Faulkingham, Foster, Fredericks, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood.

ABSENT - Babin, Carmichael, Copeland, Galletta, Griffin, Hall, Lanigan, LaRochelle, Schmersal-Burgess, Sheehan, Skold, Williams, Woodsome.

Yes, 77; No, 60; Absent, 13; Vacant, 1; Excused, 0.

77 having voted in the affirmative and 60 voted in the negative, 1 vacancy with 13 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

Majority Report of the Joint Select Committee on **HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-751)** on Bill "An Act to Establish the Community Housing and Rural Development Authority"

(H.P. 1197) (L.D. 1867)

Signed:

Senators:

PIERCE of Cumberland
VITELLI of Sagadahoc

Representatives:

GERE of Kennebunkport
GATTINE of Westbrook
GOLEK of Harpswell
LOOKNER of Portland
RANA of Bangor
STOVER of Boothbay

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

Signed:

Representatives:

BLIER of Buxton
BRADSTREET of Vassalboro
CAMPBELL of Orrington

READ.

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

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

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

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

Representative **BRADSTREET**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I do rise in opposition to the pending motion. First of all, you know, I think all of us share our desire to find the best ways to provide affordable housing for all Mainers. However, there are a couple significant things about this bill that I don't like, which is why I'm going to oppose the bill.

First of all, it's omitting the private sector, and that's really too bad because over the years, the private sector has utilized the low-income housing tax credit to build multiple housing projects and provide housing for needy Mainers. Why on earth would we want to omit the private sector from this when they've utilized it so successfully over the years? Secondly, the enactment of this bill would require the creation of a whole new entity, along with all the attendant startup costs and ongoing expenses as well, and they will be very significant. As the administration's senior advisor on housing policy testified during the public hearing, these funds will be better spent on existing programs. And, thirdly, Madam Speaker, it's the sheer volume of it. It's a \$100 million bill. So, I hope everybody will join me in opposing the current motion. Thank you, Madam Speaker.

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

Representative **LOOKNER**: Thank you, Madam Speaker. I rise in support of the motion. One of the things that I love and cherish about Maine, which I know is shared by everyone in this Chamber, is that we value our communities. We all want to be part of neighborhoods that work to lift each other up, to achieve success and support each other in times of need, whether it was digging out from a natural disaster like the ice storm in '98 or the more recent coastal flooding events that we've had in our State, or simply organizing neighborhood events like, you know, bake sales or block parties, something to that effect; you know, we all want to live in tightknit communities and those neighborhoods are so integral to our sense of safety and belonging and we all know that housing is integral to building those types of vital communities, which is why I introduced this bill.

So, we all know that housing is a fundamental human need and without it, other rights as codified in our State's Constitution become impossible. Therefore, we need to do everything in our power to ensure that everyone has the ability to live in decent, safe and sanitary housing. I don't need to remind anyone in this Chamber that our State is mired in a crisis of affordable housing, which has undermined entire working communities and displaced neighborhoods. We need 84,000 new units of housing by 2030 and at current levels of production, we will only build about half of that, and that's assuming that we won't see an increase in demand, which I'm not at all certain of. Maine has been and remains one of the least affordable States in the country in which to rent when comparing rents to wages, and over 40% of our State's renters at all income levels are a housing cost burden.

So, despite pervasive stigma and misunderstanding, homelessness in a community; the primary driver of homelessness is unaffordable housing, and that's what we're trying to address here. On top of all that, many affordable housing units built using federal tax credit programs in the last 40 years have aged out of their deed-restricted affordability requirements and we've seen many of those houses, those units, go into market rate affordability, displacing more of our neighbors. Many people who work in professional jobs, who serve vital roles in our communities, folks such as teachers, firefighters, nurses and social workers, can no longer afford to live in the communities where they provide such necessary services. This squeeze on middle-income and low-income earners simultaneously demonstrates the need to build mixed income housing which would address the elusive missing middle piece of housing that we all hear so much about and would create a new avenue of building low-income units which we desperately need.

My good friend from Vassalboro mentioned that this bill excludes the private sector, which it does not. In fact, it mentions exclusively this money would be reserved for nonprofits, which are private sector developers, and municipalities who wanted to get into the development game. And it was also mentioned that this creates a new entity, which this current amendment does not. So, there's no ongoing cost associated with this, but if this program were implemented by municipalities, it could create an ongoing source of revenue for those communities to build mixed income, permanently affordable housing.

So, someone much smarter than I once remarked that we can't solve our problems using the same thinking we used to create them. To that, I would also add that we can't rely on the same tools that created the problem as well. We need new tools and new approaches to housing and creating this fund, municipalities and nonprofits could create the vital mixed income housing that our communities need. If municipalities wanted to assume the role of developer using this funding, these towns would have a means of producing housing that would not require taxpayer subsidy over time. By building mixed income housing for those making up to 120% of the area median income and ensuring that a certain percentage of those units remain affordable to lower income brackets, we are creating a supply-side solution to housing, so, building more housing. Communities that take full advantage of this funding would not potentially need to resort to stringent regulation on private sector landlords in order to meet their housing goals. Across this country, from Hawaii to Maryland, states and communities have been implementing this type of housing with great success and showing that community housing can provide permanently affordable, mixed income, decent and safe housing for all. This one-time investment will have long-term impacts and make a meaningful contribution to solving our housing crisis in combination with the other tools and funding that this Legislature has approved in the last several years. We all need stable homes as we build our lives, help support our families, participate in the lives of those around us and age in place with dignity in our homes. So, community housing will provide just that stability in our homes, in our neighborhoods and in our towns and cities, no matter where in Maine we might live. So, please join me in supporting the motion.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Rudnicki.

Representative **RUDNICKI**: Thank you, Madam Speaker, if I could pose a question through the Chair?

The SPEAKER: The Member may proceed.

Representative **RUDNICKI**: What's the fiscal note on this and how do we plan to pay for it, and are we limiting it to Maine seniors and non-illegals? Thank you.

The SPEAKER: The Member has posed a question to any Member who wishes to answer. The Chair recognizes the Representative from Kennebunkport, Representative Gere.

Representative **GERE**: This bill is funded through a General Fund appropriation.

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

Representative **BRADSTREET**: Thank you once again, Madam Speaker. I'd just like to point out the bill does specify it's for nonprofit organizations only. Thank you.

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

ROLL CALL NO. 370

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Lajoie, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Milliken, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Perry A, Perry J, Pluecker, Pringle, Rana, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sinclair, Supica, Warren, White B, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Andrews, Arata, Ardell, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Landry, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood.

ABSENT - Babin, Carmichael, Copeland, Galletta, Griffin, Hall, Lanigan, LaRochelle, Millett R, Schmersal-Burgess, Sheehan, Skold, Stover, Terry, Williams, Woodsome.

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 to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-751)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-751)** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-753)** on Bill "An Act to Allow Candidates for County Office to Participate in the Maine Clean Election Act"

(H.P. 1263) (L.D. 1966)

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland

Representatives:

SUPICA of Bangor
BOYER of Poland
COLLINGS of Portland
MALON of Biddeford
MONTELL of Gardiner
RIELLY of Westbrook
WILLIAMS of Bar Harbor

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

Signed:

Senator:

TIMBERLAKE of Androscoggin

Representatives:

ANDREWS of Paris
HYMES of Waldo
RUDNICKI of Fairfield

READ.

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

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

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

The SPEAKER: The Chair recognizes the Representative from Paris, Representative Andrews.

Representative **ANDREWS**: Thank you. We cannot allow taxpayer funding into our county races because that will seep into our local races, polluting our Select Board politics. We need to shut the door on this right here, right now. Thank you.

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

Representative **RIELLY**: Thank you, Madam Speaker. As was seen with recent elections, there's been a flood of monies into DA races. Amending the Maine Clean Election Act to include DAs will encourage candidates to participate in county-wide races who don't have the means to rely on personal wealth or connections. It will also lead to hopefully more people shunning money from special interest groups. Speaking with the DAs, the Maine Clean Election Act would also help with avoiding possible conflicts of interest because many attorneys who donate tend to have business with the DA's office. Thank you.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Rudnicki.

Representative **RUDNICKI**: Thank you, Madam Speaker. I would just like to remind this Body that the fiscal note on this for '26 and '27 is \$479,000. So, it's got a high fiscal note on it, it may not be coming in for a couple of years, but keep that in mind.

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

ROLL CALL NO. 371

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

NAY - Adams, Albert, Andrews, Arata, Ardell, Bagshaw, Blier, Boyer, Bradstreet, Carlow, Collamore, Costain, Cray, Cyrway, Davis, Dill, Drinkwater, Ducharme, Dunphy, Foster, Fredericks, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Landry, Lavigne, Lemelin, Libby, Lyman, Mason, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Simmons, Sinclair, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood.

ABSENT - Babin, Campbell, Carmichael, Copeland, Faulkingham, Galletta, Griffin, Hall, Lanigan, LaRochelle, Schmersal-Burgess, Sheehan, Skold, Terry, Williams, Woodsome.

Yes, 74; No, 60; Absent, 16; Vacant, 1; Excused, 0.

74 having voted in the affirmative and 60 voted in the negative, 1 vacancy with 16 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-753)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-753)** 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. 928) (L.D. 2183) Resolve, to Correct the Designation of a Bridge in Canaan to Be Named After Staff Sergeant Richard Gerald Salsbury (EMERGENCY) Committee on **TRANSPORTATION** reporting **Ought to Pass**

(S.P. 743) (L.D. 1827) Bill "An Act to Prevent Closures and Ensure Sustainability of Nursing Facilities, Private Nonmedical Institutions and Residential Care Facilities by Removing So-called Budget Neutrality" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-521)**

(H.P. 1314) (L.D. 2052) Bill "An Act to Provide Additional Moose Hunting Opportunities for Maine Youth Experiencing Critical Illnesses" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass**

(H.P. 1315) (L.D. 2053) Bill "An Act to Exempt Buildings Used to Cultivate Crops from the Maine Uniform Building and Energy Code" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass**

(H.P. 1392) (L.D. 2177) Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a Major Substantive Rule of the Department of Health and Human Services (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass**

(H.P. 988) (L.D. 1533) Bill "An Act to Provide for Consistent Billing Practices by Health Care Providers" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-752)**

(H.P. 1307) (L.D. 2045) Bill "An Act to Establish Training and Certification Standards for Probation and Parole Officers" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-754)**

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

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

ENACTORS

Emergency Measure

An Act to Restore the Board of Dental Practice's Authority to Issue Letters of Guidance

(H.P. 1302) (L.D. 2040)
(C. "A" H-741)

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. 112 voted in favor of the same and 0 against, 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**.

Acts

An Act to Support Farmland Conservation

(S.P. 247) (L.D. 579)
(C. "A" S-519)

An Act to Ensure Proper Regulation of Chemical Plastic Processing

(S.P. 665) (L.D. 1660)
(C. "A" S-514)

An Act to Require Broadband Internet Access Service Providers to Prorate Customer Bills

(H.P. 1240) (L.D. 1932)
(H. "A" H-737 to C. "A" H-734)

An Act Regarding the Duties of Bail Commissioners

(H.P. 1313) (L.D. 2051)

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

(H.P. 1316) (L.D. 2054)

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.

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

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

SENATE PAPERS

Bill "An Act to Prohibit Insurers from Using Credit Information as a Factor in Certain Insurance Practices"

(S.P. 950) (L.D. 2220)

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

REFERRED to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** in concurrence.

Bill "An Act to Strengthen the Maine Veterans' Homes with Increased and Ongoing Funding"

(S.P. 948) (L.D. 2217)

Came from the Senate, **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS** and ordered printed.

REFERRED to the Committee on **VETERANS AND LEGAL AFFAIRS** in concurrence.

REPORTS OF COMMITTEE

Refer to the Committee on Judiciary

Pursuant to Statute

Report of the **Joint Standing Committee on Judiciary** on Bill "An Act to Implement the Recommendations of the Maine Commission on Indigent Legal Services"

(S.P. 949) (L.D. 2219)

Reporting that it be **REFERRED** to the Committee on **JUDICIARY** pursuant to the Maine Revised Statutes, Title 4, section 1804, subsection 3.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY**.

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

The Bill was **REFERRED** to the Committee on **JUDICIARY** in concurrence.

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

THE SPEAKER: The Chair recognizes the Representative from Boothbay, Representative Stover.

Representative **STOVER**: Madam Speaker, thank you. I would like 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 **STOVER**: Thank you. Had I been present, Madam Speaker, I would've voted yes on LD 1867.

On motion of Representative HYMES of Waldo, the House adjourned at 11:34 a.m., until 10:00 a.m., Wednesday, February 21, 2024.