

MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE
SECOND REGULAR SESSION
18th Legislative Day
Wednesday, February 28, 2024

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

Prayer by Honorable Benjamin T. Collings, Portland.
National Anthem by Michele Gonya, Winslow.
Pledge of Allegiance.

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

Medical Provider of the Day, Angela Leclerc, MSPA, PA-C, Gorham.

The Journal of yesterday was read and approved.

COMMUNICATIONS

The Following Communication: (H.P. 1436)

**STATE OF MAINE
DEPARTMENT OF THE
SECRETARY OF STATE
AUGUSTA, MAINE 04333-0148**

February 27, 2024

Honorable Robert B. Hunt
Clerk of the House
2 State House Station
Augusta, ME 04333

Dear Clerk Hunt:

Enclosed please find my official certification to the 131st Legislature of the citizen initiative petition entitled "An Act to Limit Contributions to Political Action Committees That Make Independent Expenditures".

Sincerely,
S/Shenna Bellows
Secretary of State

**STATE OF MAINE
SECRETARY OF STATE**

I, Shenna Bellows, Secretary of State, hereby certify that written petitions bearing valid signatures of 76,081 electors of this State were addressed to the Legislature of the State of Maine and were filed in the office of the Secretary of State on January 23, 2024, requesting that the Legislature consider an act entitled, "An Act to Limit Contributions to Political Action Committees That Make Independent Expenditures".

I further certify that the number of signatures submitted is in excess of ten percent of the total votes cast in the last gubernatorial election preceding the filing of such petitions, as required by Article IV, Part Third, Section 18 of the Constitution of Maine, that number being 67,682.

I further certify this initiative petition to be valid and attach herewith the text of the legislation circulated on the petition's behalf.

In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta on the Twenty-seventh day of February in the year Two Thousand and Twenty-four.

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

Sent for concurrence.

On motion of Representative SUPICA of Bangor, the accompanying Bill "An Act to Limit Contributions to Political Action Committees That Make Independent Expenditures"

(I.B. 5) (L.D. 2232)

Was **REFERRED** to the Committee on **VETERANS AND LEGAL AFFAIRS**, ordered printed and sent for concurrence.

The Following Communication: (H.C. 427)

**STATE OF MAINE
ONE HUNDRED AND THIRTY-FIRST LEGISLATURE
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

February 15, 2024

The Honorable Troy D. Jackson, President of the Senate
The Honorable Rachel Talbot Ross, Speaker of the House
131st Legislature
3 State House

Augusta, ME 04333-0003

Dear President Jackson and Speaker Talbot Ross:

Please accept this letter as a report of the findings of the Joint Standing Committee on Inland Fisheries and Wildlife from its review and evaluation of the Advisory Board for the Licensing of Taxidermists under the State Government Evaluation Act, Title 3 of the Maine Revised Statutes, chapter 35.

The committee finds that the Advisory Board for the Licensing of Taxidermists is operating within its statutory authority.

Sincerely,
S/Sen. David LaFountain
Senate Chair
S/Rep. H. Scott Landry, Jr.
House Chair

READ and **ORDERED PLACED ON FILE.**

The Following Communication: (H.C. 428)

**STATE OF MAINE
ONE HUNDRED AND THIRTY-FIRST LEGISLATURE
COMMITTEE ON INLAND FISHERIES AND WILDLIFE**

February 15, 2024

The Honorable Troy D. Jackson, President of the Senate
The Honorable Rachel Talbot Ross, Speaker of the House
131st Legislature
3 State House

Augusta, ME 04333-0003

Dear President Jackson and Speaker Talbot Ross:

Please accept this letter as a report of the findings of the Joint Standing Committee on Inland Fisheries and Wildlife from its review and evaluation of the Department of Inland Fisheries and Wildlife under the State Government Evaluation Act, Title 3 of the Maine Revised Statutes, chapter 35.

The committee finds that the Department of Inland Fisheries and Wildlife is operating within its statutory authority.

Sincerely,
S/Sen. David LaFountain
Senate Chair
S/Rep. H. Scott Landry, Jr.
House Chair

READ and **ORDERED PLACED ON FILE.**

The Following Communication: (S.C. 958)

**MAINE SENATE
131ST LEGISLATURE
OFFICE OF THE SECRETARY**

February 27, 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 Education and Cultural Affairs:

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

Upon the recommendation of the Committee on Health Coverage, Insurance and Financial Services:

- Robert L. Carey of East Boothbay for appointment, as the Superintendent of the Maine Bureau of Insurance.

Upon the recommendation of the Committee on State and Local Government:

- Susan P. Herman, Esq. of Mount Vernon for reappointment, to the State Civil Service Appeals Board.

Best Regards,

S/Darek M. Grant

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

**PETITIONS, BILLS AND RESOLVES REQUIRING
REFERENCE**

Bill "An Act to Strengthen Public Safety, Health and Well-being by Expanding Services and Coordinating Violence Prevention Resources"

(H.P. 1437) (L.D. 2237)

Sponsored by Speaker TALBOT ROSS of Portland.

Cosponsored by President JACKSON of Aroostook and Representatives: ABDI of Lewiston, ANKELES of Brunswick, ARFORD of Brunswick, BELL of Yarmouth, BOYLE of Gorham, BRENNAN of Portland, BRIDGEO of Augusta, CLOUTIER of Lewiston, CLUCHEY of Bowdoinham, COLLINGS of Portland, COPELAND of Saco, CRAFTS of Newcastle, CRAVEN of Lewiston, CROCKETT of Portland, DANA of the Passamaquoddy Tribe, DHALAC of South Portland, DILL of Old Town, DODGE of Belfast, DOUDERA of Camden, EATON of Deer Isle, FAY of Raymond, GATTINE of Westbrook, GEIGER of Rockland, GERE of Kennebunkport, GOLEK of Harpswell, GRAHAM of North Yarmouth, GRAMLICH of Old Orchard Beach, HASENFUS of Readfield, HEPLER of Woolwich, HOBBS of Wells, JAUCH of Topsham, KESSLER of South Portland, KUHN of Falmouth, LAJOIE of Lewiston, LANDRY of Farmington, LaROCHELLE of Augusta, LEE of Auburn, LOOKNER of Portland, MADIGAN of Waterville, MALON of Biddeford, MASTRACCIO of Sanford, MATHIESON of Kittery, MATLACK of St. George, MEYER of Eliot, MILLETT of Cape Elizabeth, MILLIKEN of Blue Hill, MONTELL of Gardiner, MOONEN of Portland, MORIARTY of Cumberland, MURPHY of Scarborough, O'CONNELL of Brewer, O'NEIL of Saco, OSHER of Orono, PERRY of Calais, PERRY of Bangor, PLUECKER of Warren, PRINGLE of Windham, RANA of Bangor, RIELLY of Westbrook, RISEMAN of Harrison, ROBERTS of South Berwick, ROEDER of Bangor, RUNTE of York, RUSSELL of Verona Island, SACHS of Freeport, SALISBURY of Westbrook, SARGENT of York, SAYRE of Kennebunk, SHAGOURY of Hallowell, SHAW of Auburn, SHEEHAN of Biddeford, SINCLAIR of Bath, SKOLD of Portland, STOVER of Boothbay, SUPICA of Bangor, TERRY of Gorham, WARREN of Scarborough, WHITE of Waterville, WILLIAMS of Bar Harbor, WORTH of Ellsworth, ZAGER of Portland, ZEIGLER of Montville, Senators: BAILEY of York, BALDACCI of Penobscot, BEEBE-CENTER of Knox, BRENNER of Cumberland, CARNEY of Cumberland, CHIPMAN of Cumberland, CURRY of Waldo, DAUGHTRY of Cumberland, DUSON of Cumberland, HICKMAN of Kennebec, INGWERSEN of York, LAWRENCE of York, NANGLE of Cumberland, PIERCE of Cumberland, RAFFERTY of York, ROTUNDO of Androscoggin, TIPPING of Penobscot, VITELLI of Sagadahoc.

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

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

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

Sent for concurrence.

Pursuant to Statute

Department of Professional and Financial Regulation

Representative PERRY for the **Department of Professional and Financial Regulation** pursuant to the Maine Revised Statutes, Title 5, section 8072 asks leave to report that the accompanying Resolve, Regarding Legislative Review of Chapter 255: Workers' Compensation Fronting Companies, a Late-filed Major Substantive Rule of the Department of Professional and Financial Regulation, Bureau of Insurance (EMERGENCY)

(H.P. 1432) (L.D. 2233)

Be **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and printed pursuant to Joint Rule 218.

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

The Resolve was **REFERRED** to the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

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

REPORTS OF COMMITTEE

Refer to the Committee on Energy, Utilities and Technology

Pursuant to Public Law

Representative ZEIGLER for the **Joint Standing Committee on Energy, Utilities and Technology** on Bill "An Act to Require Telephone Solicitors to Use the Reassigned Numbers Database"

(H.P. 1433) (L.D. 2234)

Reporting that it be **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** pursuant to Public Law 2023, chapter 144, section 6.

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

The Bill was **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** and sent for concurrence.

Refer to the Committee on Judiciary

Pursuant to Resolve

Representative MOONEN for the **Joint Standing Committee on Judiciary** on Resolve, Directing the Department of Administrative and Financial Services, the State Court Administrator and the Executive Director of the Legislative Council to Add a 3rd Option for Gender on State Forms

(H.P. 1434) (L.D. 2235)

Reporting that it be **REFERRED** to the Committee on **JUDICIARY** pursuant to Resolve 2023, chapter 76, section 2.

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

The Resolve 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 Expand the List of Crimes Eligible for a Post-judgment Motion to Seal Criminal History Record Information to Include Convictions for Possession and Cultivation of Marijuana"

(H.P. 1435) (L.D. 2236)

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.

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

Divided Reports

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-537)** on Bill "An Act to Update the Sex Education and Consent Curriculum"

(S.P. 120) (L.D. 254)

Signed:

Senators:

RAFFERTY of York

PIERCE of Cumberland

Representatives:

BRENNAN of Portland

DODGE of Belfast

MILLETT of Cape Elizabeth

MURPHY of Scarborough

SARGENT of York

WORTH of Ellsworth

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

BAGSHAW of Windham

LYMAN of Livermore Falls

POLEWARCZYK of Wiscasset

SAMPSON of Alfred

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-537)**.

READ.

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

Representative SAMPSON of Alfred **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 Alfred, Representative Sampson.

Representative **SAMPSON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I just want to make it really clear that this bill addressing sex education, I just want

everybody to understand that those are already in the Maine Learning Results and that's already something happening. My objection to this, and our objection to this as a caucus was that, essentially, we need to be looking at where our priorities of funding are going. And do we need to be funding special interest groups, or should we be funding sources like our ed techs or even how about putting funding into rigorous, demanding and very relevant issues with regards to, like, professional training? We need to be supporting our teachers in the field and funding special interest groups does not fall into that category. Thank you.

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 Alfred. Every day, we engage in priority setting and that's why we have the Appropriations Table, we have the Appropriations Committee, because individual Committees decide that there's something that's worth financial consideration and we send it to the table for that consideration.

This bill is very straightforward. It's a half-million-dollar appropriation to continue to provide sexuality education in our schools. The Maine Family Planning has been doing this work for 10 years and that contract has been flat for the last 10 years. All this does is provide them the resource to continue to do the work, voluntarily. There's no school that has to adopt a curriculum, there's no school that has to utilize this information, it's totally voluntary. It allows them to continue to do that work that's vital for students and families across the State of Maine. So, again, I recognize there are a lot --

The SPEAKER: The Member will defer. It's very difficult to hear a Member speaking on a microphone right now. The Chair reminds us to be respectful when each other is speaking and addressing the entire Body. The Member may proceed.

Representative **BRENNAN**: Thank you, Madam Speaker. I'd be more than happy to speak louder if that would be helpful.

The SPEAKER: The Chair appreciates that. Unfortunately, that's not the issue.

Representative **BRENNAN**: So, anyway, I hope that people understand that this is simply an extension of what we're currently doing and providing the necessary resources for our schools, for students and for families. Thank you very much.

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

Representative **SAMPSON**: Thank you, Madam Speaker. And with great respect for my colleague and coworker from Portland, if they're doing this voluntarily, they don't need the funds.

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. 379

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

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

ABSENT - Abdi, Boyle, Carlow, Galletta, Haggan, Lanigan, Lavigne, Madigan, Mathieson, Moriarty, O'Connell, Polewarczyk, Riseman, White B.

Yes, 74; No, 62; Absent, 14; Vacant, 1; Excused, 0.

74 having voted in the affirmative and 62 voted in the negative, 1 vacancy with 14 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (S-537) 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" (S-537)** in concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-530)** on Bill "An Act to Make Changes to Certain Laws Governing Renewable Energy Projects"

(S.P. 892) (L.D. 2099)

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 Not to Pass** on same Bill.

Signed:

Senator:

HARRINGTON of York

Representatives:

DUNPHY of Embden
FOSTER of Dexter
PAUL of Winterport

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED Report READ and ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-530).**

READ.

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

Representative FOSTER of Dexter **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 Dexter, Representative Foster.

Representative **FOSTER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. This bill is basically an unnecessary bill that changes a few things in recently passed legislation that is now in Statute.

First of all, let me begin by saying we don't need to further subsidize, by using funds from taxpayers or Maine ratepayers, battery storage in the State of Maine. There is a lot of business happening in that area, we already have some large storage facilities in place and some on their way that have been placed there commercially without Maine ratepayer subsidies. Part of that is due to the high cost of electricity in the State of Maine and the ability for these companies to see a profit by storing energy and releasing it when peak rates are being used.

With that in mind, this bill seeks to combine language that would have storage be linked with solar, which is not necessary, as I've stated. It would also allow the Governor's Energy Office to petition the PUC to procure energy and storage capacity. Currently, the Legislature has had the ability in Statute to require the PUC to do so. And, finally, of concern is a change in a rule by allowing the Department of Labor routine technical rule capacity to work to have offshore wind contracts have labor standards within that language.

I would say that number one, Madam Speaker, I don't think we need to go out and look for federal tax dollars, which we all know comes from our folks as well as, and most especially, Maine ratepayer funds to subsidize battery storage in the State of Maine. That's already successfully being done and I hope you will follow my light. Thank you, Madam Speaker.

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. 380

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

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

ABSENT - Abdi, Boyle, Collings, Galletta, Haggan, Lanigan, Lavigne, Madigan, Mathieson, Moriarty, O'Connell, Polewarczyk, Riseman.

Yes, 74; No, 63; Absent, 13; Vacant, 1; Excused, 0.

74 having voted in the affirmative and 63 voted in the negative, 1 vacancy with 13 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-530)** 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" (S-530)** in concurrence.

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-534)** on Bill "An Act to Index Workers' Compensation Benefits to the Rate of Inflation"

(S.P. 767) (L.D. 1896)

Signed:

Senator:

TIPPING of Penobscot

Representatives:

ROEDER of Bangor

GERE of Kennebunkport

MALON of Biddeford

SKOLD of Portland

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

Signed:

Senator:

POULIOT of Kennebec

Representatives:

BRADSTREET of Vassalboro

DRINKWATER of Milford

RUSSELL of Verona Island

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-534)**.

READ.

Representative ROEDER of Bangor 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'd just like a little reminder here that the current Workers' Comp laws are the result of a major review this Legislature undertook in 2019. I remember it well because I was a Member of that Committee that reviewed and voted for the ensuing legislation. The current status of the cost-of-living adjustments is part of a compromise reached to ensure the continued viability of the entire Workers' Comp system. Workers' Comp is a very complicated entity, with multiple layers of consideration, and changing one portion of the agreed-upon compromise could certainly cause the entire system to unravel. We certainly don't want that.

This particular part of the agreement that we reached back then was part of an agreement that we came to to ensure the Workers' Comp system would be there for future years, and if

we pull this out, it really does risk the entire system. And this particular bill is directed towards the adequacy of benefits and we certainly understand the challenge that people face when they stay on Workers' Comp for an extended period of time. However, the bill mentions nothing about examining the benefit adequacy and the changes to the bill's proponents have stated they wish to obtain. The aim of the bill is to increase the cost-of-living adjustment and that will affect the health of the overall Workers' Comp system and I think that is a glaring omission; any bill doing this should also look at the adequacy, the effect that this change will have on the entire system.

I'd like to remind the people that Workers' Compensation benefits are funded entirely by the employers. At the time the last overhaul of Workers' Comp was enacted just a few short years ago, Maine ranked around 17th highest in the nation for Workers' Comp costs. Today, even without any legislative changes, we rank about 6th in the nation. We're already headed in the wrong way. If we're serious about being competitive in a global marketplace, looking for employers who will open up shop here and offer attractive wages and benefits, we should not pass this bill. It is a proposal the end result of which will drive up costs and encourage investors to look elsewhere other than Maine to start and continue their businesses. They say it's only a study, but in reality, it's a backdoor effort to drive up Workers' Comp costs and hurt hardworking Mainers. I urge you to join me in voting against this bill. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Roeder.

Representative **ROEDER**: Thank you, Madam Speaker. Madam Speaker, I would venture to say that the majority, if not all, of our Committee has a lot of the same concerns as the Good Representative from Vassalboro. We know the system is precarious, we know that there was a big overhaul in 2019.

Personally, I am supporting this study because it will tell us where the holes are. It is a study to determine if the benefits we have are adequate. If, from that, we find out that the benefits are adequate, we put this issue to bed. I am always an advocate for more data. We make better decisions when we have more data, better data, the right data. I like that this got turned into a study, specifically because I don't want to make a decision in a vacuum without that data. I hope everyone will follow me in this because I think we do make better decisions when we have more information. 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. 381

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

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Hall, Henderson, Hobbs, Hymes, Jackson, Javner, Lemelin, Libby,

Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Russell, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Abdi, Boyle, Galletta, Haggan, Lanigan, Lavigne, Madigan, Mathieson, Moriarty, O'Connell, Polewarczyk, Riseman.

Yes, 73; No, 65; Absent, 12; Vacant, 1; Excused, 0.

73 having voted in the affirmative and 65 voted in the negative, 1 vacancy with 12 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-534)** 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" (S-534)** in concurrence.

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-776)** on Resolve, Regarding Legislative Review of Portions of Chapter 41: Special Restrictions on Pesticide Use, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control (EMERGENCY) (H.P. 1403) (L.D. 2189)

Signed:

Senators:

INGWERSEN of York
HICKMAN of Kennebec

Representatives:

PLUECKER of Warren
HEPLER of Woolwich
JAUCH of Topsham
OSHER of Orono
SHAW of Auburn

Minority Report of the same Committee reporting **Ought to Pass** on same Resolve.

Signed:

Senator:

BLACK of Franklin

Representatives:

COSTAIN of Plymouth
CRAY of Palmyra
GUERRETTE of Caribou
HALL of Wilton
JACKSON of Oxford

READ.

On motion of Representative PLUECKER of Warren, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-776)** was **READ** by the Clerk.

On further motion of the same Representative, **TABLED** pending **ADOPTION** of **Committee Amendment "A" (H-776)** and later today assigned.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-775)** on Bill "An Act Regarding the Reduction and Recycling of Food Waste" (H.P. 645) (L.D. 1009)

Signed:

Senators:

BRENNER of Cumberland
CARNEY of Cumberland

Representatives:

GRAMLICH of Old Orchard Beach
BELL of Yarmouth
BRIDGEO of Augusta
DOUDERA of Camden
HOBBS of Wells
O'NEIL of Saco

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

Signed:

Senator:

LYFORD of Penobscot

Representatives:

CAMPBELL of Orrington
SCHMERSAL-BURGESS of Mexico
SOBOLESKI of Phillips

READ.

Representative GRAMLICH of Old Orchard Beach moved that the House **ACCEPT** the Majority **Ought to Pass as Amended** Report.

Representative CAMPBELL of Orrington **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 Orrington, Representative Campbell.

Representative **CAMPBELL**: Thank you, Madam Speaker. This bill, though well-intended, creates some burden on both the private sector and the public sector. For those who are really trying hard to manage their food waste program at this point, both public and private sectors are being adversely impacted.

What it does is over a period of time, July 2026, two or more tons per week located within 20 miles of an organic recycling facility; compost, or in Exeter, the anaerobic digester; would have to be taken to those facilities. July 2028, one ton or more within 25 miles; 2031, it is 100 pounds to one ton per week within 25 miles. And the whole purpose of this progression is to get it to a point where you won't be able to put food waste in your big green bag.

The purpose of the original bill was to eliminate all food waste going into the municipal solid waste system or landfills. The concerns are that there are only five of these facilities in the State, the most major being Exeter, the anaerobic digester. So, the cost to the environment just to truck this stuff, not only the separation of it but to truck this stuff to these facilities, is much more of a burden on the environment than the food waste, which is diminishing as it is more privately and publicly managed without this mandate. The concerns are that the infrastructure isn't there, there are only five facilities. Number two, Maine DEP opposes this bill because you're going to have to then create a storage system which then creates a public health concern before it gets to these facilities. Therefore, the DEP is opposed, for sure.

There are many diverse groups or stakeholders that oppose this bill. The DEP, for which I've talked, the Good Shepherd Food Bank, the University of Maine Public University System, Maine School Board Association, Maine School Superintendents Association, Maine Hospital Association, Maine County Commissioners Association, Maine Tourism Association, Maine Grocers and Food Producers Association and Hospitality of Maine. This is basically an unfunded mandate that's going to create a big burden on both the public and private sector, for which they're already doing a good job at managing it. So, therefore, I would oppose the motion.

The SPEAKER: The Chair recognizes the Representative from Old Orchard Beach, Representative Gramlich.

Representative **GRAMLICH**: Thank you, Madam Speaker. Madam Speaker and Colleagues of the House, I rise in support of the pending Ought to Pass as Amended motion. As identified by my colleague from Orrington, this bill sets up goals for the reduction of disposable food scraps and for food rescue, which is collecting edible food that would otherwise become solid waste. This bill was amended to provide definition of what is considered designated food waste generators based on the average amount of food waste generated weekly. A designated food waste generator is a person generating two or more tons per week of food waste located within 20 miles of an organics recycler within available capacity.

This bill, Madam Speaker, meets Maine's waste diversion goals and only impacts large businesses that produce more than two tons of food waste per week. This bill does not impact small businesses and others if that entity who produces less than two tons of food waste per week. And it should be noted, Madam Speaker, that this program has been very successfully implemented in both Massachusetts and Vermont, where they have successful food waste diversion programs. This bill will not, Madam Speaker, adversely impact municipalities due to the fact that less food waste will be going to landfills.

This is a reasonable bill, Madam Speaker, that adheres with Maine's recycling goals and further protects our environment with less waste going to our landfills. I urge my colleagues to support the pending Ought to Pass as Amended motion. Thank you, Madam Speaker.

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

Representative **LEMELIN**: Thank you, Madam Speaker. I'm kind of blown away here. I'm shocked that we are even considering a bill like this at this time. The last two days, I sat in Appropriations with the Health and Human Services Committee and I listened to one hundred testimonies. Most of those testimonies were people crying their eyes out because they can't get the psychiatric care and other resources for their family members who are dying. We have so much to spend money on and yet we're considering \$500,000 for a food waste bill. I'm blown away.

What type of message are we really trying to send to the people of Maine? That food waste is more important than the psychological care, the medical care, the elderly that came before our Committee and bawled their eyes out and begged us for money? They begged. But yet we're going to consider \$500,000 for a bill for food waste which the Good Representative from Orrington already told us the Department is against and the resources are against it. So, I ask everybody in this Chamber to please reconsider their vote so that we can spend money on the families who are in dire need in Maine right now. Thank you.

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

Representative **ZEIGLER**: Thank you, Madam Speaker. I rise to support LD 1009. Many years ago, the State developed a hierarchy of dealing with solid waste. The top is reduction, then reuse, recycling, composting, waste incineration and, finally, at the bottom is landfilling. This bill was written to assist with taking solid organic waste, such as food, from the waste stream by composting or using digesters to turn the waste into a gas or a nontoxic liquid. In doing that, the material does not need to be taken to a landfill or burnt in an incinerator. Instead, through these processes, it will also produce a valuable fertilizer that will replenish our soils and help our farmers.

The bill has the ability to help reach the State goal of reducing solid waste below one-half ton per capita because, unfortunately, right now a lot of our waste is food. The bill will only apply to large generators of food waste that are located near composting or anaerobic digesting facilities. If those facilities do not exist at this time, they do not have to comply. This will increase the efficiency of dealing with food waste by reducing the distance the trucking is needed, as opposed to trucking waste, solid waste, all the way to Juniper Ridge at this moment, which wastes a tremendous amount of fuel. Only business and institutions that generate more than two tons of food waste per week, are located within 20 miles of a composting or anaerobic digestion facility are required to comply. DEP can give hardship waivers if they feel they are necessary. Farms that manage their waste are exempt. Because of the amount of generated organic waste, residents will not be included. Individual homes will not be included.

The separation of locations that generate waste would also assist in increasing the amount of food that could be usable to those food banks. As the amount of waste collected increases, the market should grow and the number of facilities dealing with the issue increases. The DEP, through rulemaking, can adjust the distance from the facilities and the amount of waste generated by producers. The DEP has been looking into organic waste since I have been in the Legislature. Some people have pointed to the fact that landfills do generate a gas, both because of impurities of the methane they produce and the inefficiency of generation, the amount that is produced could be better generated as specific digestors.

You only need to read the *Bangor Daily News* the last few weeks to see that people living near Juniper Ridge landfill have protested the need to enlarge the area. Also, a facility has to be built to filter PFAS from the leachate at that landfill. And, lastly, by reducing material going to the landfill, you reduce tipping fees to your community. If we can divert solid waste and make a usable commodity, we will come out ahead. On March 29th, I'm going to Portland to a trade show to see a digester that can be scaled to work in a restaurant or much larger facility such as a school or supermarket. And the TD Bank is underwriting the ability to rent these to different entities. This would work nicely into the bill's goals.

Finally, as the Representative from Old Orchard Beach said, Maine would not be the first State to pass this type of law. Currently, nine states have enacted similar laws, including every one of the neighbors in New England. In every state, these laws have helped decrease the amount of waste that is landfilled or incinerated, increased the amount of food that is donated to hunger relief organizations and helped attract investment that has helped develop new composting and anaerobic digestion. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Augusta, Representative Bridgeo.

Representative **BRIDGEO**: Thank you, Madam Speaker, Members of the House. Frankly, my Good Friend from Montville has said it all, and I would only reiterate that I think this is a good bill; I think that our Committee worked diligently on this issue, taking into consideration a lot of the concerns that have been expressed by others here today, and I would urge you to support it. 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. 382

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

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

ABSENT - Abdi, Boyle, Galletta, Haggan, Lavigne, Madigan, Mathieson, Moriarty, O'Connell, Polewarczyk, Riseman.

Yes, 75; No, 64; Absent, 11; Vacant, 1; Excused, 0.

75 having voted in the affirmative and 64 voted in the negative, 1 vacancy with 11 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-775)** 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-775)** and sent for concurrence.

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act to Enhance Cost Savings to Consumers of Prescription Drugs" (H.P. 737) (L.D. 1165)

Signed:

Senators:

BRAKEY of Androscoggin
RENY of Lincoln

Representatives:

ARFORD of Brunswick
CLUCHEY of Bowdoinham
CYRWAY of Albion
MASTRACCIO of Sanford
MORRIS of Turner
NUTTING of Oakland
SWALLOW of Houlton

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-780)** on same Bill.

Signed:

Senator:

BAILEY of York

Representatives:

PERRY of Calais
MATHIESON of Kittery
PRINGLE of Windham

READ.

Representative PERRY of Calais moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative CRAVEN of Lewiston **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 Lewiston, Representative Craven.

Representative **CRAVEN**: Thank you, Madam Speaker, Men and Women of the House. This bill is designed to reduce the cost of brand-name drugs at the purchase point. There are many people, including seniors, that can't afford their medications that are prescribed for them. Prescription drug prices are the top concerns for folks, according to the Consumers for Affordable Health Care. List prices for brand-name drugs are much higher in the U.S. than they are in other developed countries. Some prices including, you know, coupons, rebates, are still much higher.

Pharmacy Benefit Managers, the PBMs, work with insurers to decide what medications patients; sorry, have to put on my glasses; what medications patients can get and how much people have to pay out of pocket. This bill would require insurers to share their rebates with the consumer at the purchase point, which I think it is intended to do. The PBMs receive and distribute millions of dollars every year to lessen costs for consumers, but they do not benefit from it.

Many, many people who have even very, very good insurances pay a lot out of pocket, for example, for medications for asthma and other brand-name medications that have a very, very high deductible. The pushback from insurers on this bill is that it would increase premiums. A similar bill has passed in a handful of states, including Arkansas, West Virginia and Tennessee. None of them have increased their premiums as a result of this legislation.

PBMs are not without blame in this situation, either, according to NEPA research. Transparency is missing from their business model. The report shows that their business model keeps shifting to maximize profits and hide from policymakers efforts to bring transparency and accountability to the practice. And I would ask that in this case we vote in favor of our constituents and not in favor of pharma or insurance companies. Thank you, Madam Speaker.

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. 383

YEA - Adams, Albert, Andrews, Ankeles, Arata, Ardell, Arford, Babin, Bagshaw, Bell, Blier, Boyer, Bradstreet, Brennan, Bridgeo, Carlow, Carmichael, Cloutier, Cluchey, Collamore, Collings, Costain, Crafts, Cray, Crockett, Cyrway, Davis, Dhalac, Dill, Dodge, Drinkwater, Ducharme, Dunphy, Eaton, Faulkingham, Fay, Foster, Fredericks, Gattine, Gere, Gifford, Gramlich, Greenwood, Griffin, Guerrette, Hall, Hasenfus, Henderson, Hepler, Hobbs, Hymes, Jackson, Javner, Kuhn, Lajoie, Landry, Lanigan, LaRochelle, Lee, Lemelin, Libby, Lyman, Malon, Mason, Mastraccio, Meyer, Millett H, Millett R, Montell, Moonen, Morris, Murphy, Ness, Nutting, Osher, Parry, Paul, Perkins, Perry A, Perry J, Poirier, Pomerleau, Pringle, Quint, Rielly, Roberts, Rudnicki, Runte, Russell, Sachs, Salisbury, Sampson, Sargent, Sayre, Schmersal-Burgess, Shaw, Sheehan, Simmons, Smith, Soboleski, Stover, Strout, Swallow, Terry, Theriault, Thorne, Underwood, Walker, White B, White J, Wood, Woodsome, Worth, Zager, Madam Speaker.

NAY - Copeland, Craven, Doudera, Geiger, Golek, Graham, Jauch, Kessler, Lookner, Matlack, Milliken, Newman, O'Neil, Pluecker, Rana, Roeder, Shagoury, Sinclair, Skold, Supica, Warren, Williams, Zeigler.

ABSENT - Abdi, Boyle, Campbell, Galletta, Haggan, Lavigne, Madigan, Mathieson, Moriarty, O'Connell, Polewarczyk, Riseman.

Yes, 115; No, 23; Absent, 12; Vacant, 1; Excused, 0.

115 having voted in the affirmative and 23 voted in the negative, 1 vacancy with 12 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Six Members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-778)** on Resolve, to Create an Advisory Council to Oversee the Review and Revision of the Maine Criminal Code and Other Statutes Establishing Criminal Offenses

(H.P. 1218) (L.D. 1903)

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

SALISBURY of Westbrook
HASENFUS of Readfield
LAJOIE of Lewiston
MATHIESON of Kittery
MILLIKEN of Blue Hill

Six Members of the same Committee report in Report "B" **Ought Not to Pass** on same Resolve.

Signed:

Senators:

HARRINGTON of York
LaFOUNTAIN of Kennebec

Representatives:

ARDELL of Monticello
NEWMAN of Belgrade
NUTTING of Oakland
PERKINS of Dover-Foxcroft

READ.

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

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-778)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-778)** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

CONSENT CALENDAR

First Day

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

(H.P. 819) (L.D. 1294) Bill "An Act to Implement Certain Recommendations of the Commission to Increase Housing Opportunities in Maine by Studying Land Use Regulations and Short-term Rentals" Joint Select Committee on **HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-779)**

(H.P. 1271) (L.D. 1978) Bill "An Act to Enact the Reentry Success and Earned Time Act" Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-777)**

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

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

ENACTORS

Emergency Measure

An Act to Fully Reimburse Municipalities for Lost Revenue Under the Property Tax Stabilization for Senior Citizens Program

(H.P. 423) (L.D. 646)
(C. "A" H-755)

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

Representative TERRY of Gorham **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

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

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

Representative **DUCHARME**: Thank you, Madam Speaker. I rise in support of this motion. About five weeks ago, it was determined that we had not funded enough to help out our towns. We came together in a bipartisan way to get this done and I'm really happy that this has moved through the process as quickly as it has. Many of our towns are in their Town Meeting mode right now, closing out their fiscal year, and these funds will certainly be of a big help to them. So, I just want to say thank you and follow my light and let's get this done. Thank you.

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

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 384

YEA - Adams, Albert, Andrews, Ankeles, Arata, Ardell, Arford, Babin, Bagshaw, Bell, Blier, Boyer, Bradstreet, Brennan, Bridgeo, Campbell, Carlow, Carmichael, Cloutier, Cluchey, Collamore, Collings, Copeland, Costain, Crafts, Craven, Cray, Crockett, Cyrway, Davis, Dhalac, Dill, Dodge, Doudera, Drinkwater, Ducharme, Dunphy, Eaton, Faulkingham, Fay, Foster, Fredericks, Gattine, Geiger, Gere, Gifford, Golek, Graham, Gramlich, Greenwood, Griffin, Guerrette, Hall, Hasenfus, Henderson, Hepler, Hobbs, Hymes, Jackson, Jauch, Javner, Kessler, Kuhn, Lajoie, Landry, Lanigan, LaRochelle, Lee, Lemelin, Libby, Lookner, Lyman, Malon, Mason, Mastraccio, Matlack, Meyer, Millett H, Millett R, Milliken, Montell, Moonen, Morris, Murphy, Ness, Newman, Nutting, O'Neil, Osher, Parry, Paul, Perkins, Perry A, Perry J, Pluecker, Poirier, Pomerleau, Pringle, Quint, Rana, Rielly, Roberts, Roeder, Rudnicki, Runte, Russell, Sachs, Salisbury, Sampson, Sargent, Sayre, Schmersal-Burgess, Shagoury, Shaw, Sheehan, Simmons, Sinclair, Skold, Smith, Soboleski, Stover, Strout, Supica, Swallow, Terry, Theriault, Thorne, Underwood, Walker, Warren, White B, White J, Williams, Wood, Woodsome, Worth, Zager, Zeigler, Madam Speaker.

NAY - NONE.

ABSENT - Abdi, Boyle, Galletta, Haggan, Lavigne, Madigan, Mathieson, Moriarty, O'Connell, Polewarczyk, Riseman.

Yes, 139; No, 0; Absent, 11; Vacant, 1; Excused, 0.

139 having voted in the affirmative and 0 voted in the negative, 1 vacancy with 11 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, to Establish a Stakeholder Group to Address the Problem of Long Stays for Children and Adolescents in Hospital Emergency Departments

(S.P. 830) (L.D. 2009)
(C. "A" S-535)

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. 122 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.

Resolves

Resolve, Directing the Commissioner of Education to Review the Placement of Personal Finance in the System of Learning Results

(S.P. 521) (L.D. 1284)
(C. "A" S-536)

Resolve, to Provide Funds to the Maine Indian Education School District

(H.P. 917) (L.D. 1421)
(C. "A" H-756)

Resolve, Directing the State Board of Education to Amend Chapter 115: The Credentialing of Education Personnel, a Major Substantive Rule of the State Board of Education

(H.P. 1424) (L.D. 2221)

Were reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

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

SENATE PAPERS

Bill "An Act to Implement Protections Against Deed Fraud"
(S.P. 960) (L.D. 2240)

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

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

Resolve, to Rename a Bridge in the Town of Mechanic Falls the Bill Dunlop Memorial Bridge

(S.P. 959) (L.D. 2239)

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

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

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

Bill "An Act to Address Gun Violence in Maine by Requiring a Waiting Period for Certain Firearm Purchases"

(S.P. 958) (L.D. 2238)

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

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

Representative **FAULKINGHAM**: Madam Speaker, I object to this bill being properly before the Body.

Representative **FAULKINGHAM** of Winter Harbor asked the Chair to rule if the Bill was properly before the Body pursuant to Joint Rule 217.

The SPEAKER: The Member has questioned whether or not this item is properly before the Body. Having reviewed the legislation in question, the Chair rules that there are substantive differences between the two pieces of legislation, and that is the Ruling of the Chair.

The Chair **RULED** the Bill was properly before the Body pursuant to Joint Rule 217.

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

Representative **FAULKINGHAM**: Madam Speaker, I've also reviewed the bill and I disagree with that assessment. This bill is the same bill that, substantively, that we already addressed previously in the Legislature. Therefore, I request a Roll Call on the ruling of the Chair.

The SPEAKER: The Chair would ask the Member, are you appealing the ruling of the Chair?

Representative **FAULKINGHAM**: Yes, Madam Speaker, I appeal the ruling of the Chair.

The same Representative **APPEALED** the **RULING OF THE CHAIR**.

Representative TERRY of Gorham **REQUESTED** a roll call on **SUSTAINING** the **RULING OF THE CHAIR**.

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

The SPEAKER: A roll call has been ordered. The pending question before the House is to Sustain the Ruling of the Chair. All those in favor of sustaining the ruling of the Chair will vote yes, those opposed will vote no.

ROLL CALL NO. 385

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

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

ABSENT - Abdi, Boyle, Crafts, Galletta, Haggan, Lavigne, Mathieson, Moriarty, O'Connell, Polewarczyk, Riseman, Roberts.

Yes, 74; No, 64; Absent, 12; Vacant, 1; Excused, 0.

74 having voted in the affirmative and 64 voted in the negative, 1 vacancy with 12 being absent, and accordingly the **RULING OF THE CHAIR** was **SUSTAINED**.

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

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

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

Representative **RUDNICKI**: Thank you, Madam Speaker. I think that once again we are showing our hypocrisy in this room and flaunting of the rules. Thank you very much.

On motion of Representative CARLOW of Buxton, the House adjourned at 1:20 p.m., until 10:00 a.m., Thursday, February 29, 2024, in honor and lasting tribute to Ernie Brien of Buxton.