

MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE
SECOND REGULAR SESSION
19th Legislative Day
Thursday, February 29, 2024

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

Prayer by Reverend Daniel Chung Ho Lee, York-Ogunquit United Methodist Church, York.

National Anthem by Shawn Cola, York.

Pledge of Allegiance.

Medical Provider of the Day, Robert Rousseau, PA-C, Sidney.

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

The Journal of yesterday was read and approved.

SENATE PAPERS

The following Joint Resolution: (S.P. 957)

JOINT RESOLUTION DESIGNATING FEBRUARY 28, 2024 AS HYPERTROPHIC CARDIOMYOPATHY AWARENESS DAY

WHEREAS, hypertrophic cardiomyopathy is a chronic cardiac disease involving thickening of the heart muscle and can potentially lead to debilitating symptoms and serious complications, including heart failure, atrial fibrillation, stroke and, in rare cases, sudden cardiac death; and

WHEREAS, hypertrophic cardiomyopathy is the most common inheritable heart disease and can affect anyone regardless of age, gender or ethnicity, with a reported prevalence ranging from 1 in 200 to 1 in 500 in the general population; and

WHEREAS, an estimated 700,000 to 1,650,000 people in the United States have hypertrophic cardiomyopathy, yet 85% of them may remain undiagnosed; and

WHEREAS, hypertrophic cardiomyopathy shares symptoms, such as shortness of breath, chest pain, fatigue, palpitations and fainting, with other common cardiovascular and pulmonary diseases, making it difficult to distinguish hypertrophic cardiomyopathy from these other diseases; and

WHEREAS, the all-cause mortality risk is 3 to 4 times higher in persons with untreated hypertrophic cardiomyopathy than in the general population; and

WHEREAS, knowing a patient's medical history and any signs and symptoms of hypertrophic cardiomyopathy that the patient is experiencing is an important first step in accurately diagnosing hypertrophic cardiomyopathy; and

WHEREAS, a health care provider must conduct a thorough screening with cardiac health questions to help calculate a patient's risk of genetic and congenital cardiac disorders; and

WHEREAS, a health care provider may conduct several tests, including an echocardiogram, a cardiac magnetic resonance imaging test or genetic testing, to confirm a family history of hypertrophic cardiomyopathy and must examine the patient's heart to correctly diagnose hypertrophic cardiomyopathy; and

WHEREAS, following a diagnosis of hypertrophic cardiomyopathy, it is important for patients to work with their health care providers to learn more about the disease and understand different management options, including prescription medicines and surgical treatments; and

WHEREAS, the 4th Wednesday in February has been designated Hypertrophic Cardiomyopathy Awareness Day by the Hypertrophic Cardiomyopathy Association; 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 designate February 28, 2024 as Hypertrophic Cardiomyopathy Awareness Day, to acknowledge the critical importance of hypertrophic cardiomyopathy awareness in improving cardiovascular health in the State and to express our support for raising awareness of undiagnosed and untreated hypertrophic cardiomyopathy as a serious public health issue and the need to seek appropriate care for patients suffering from hypertrophic cardiomyopathy.

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

Non-Concurrent Matter

Bill "An Act to Prohibit Certain Municipalities from Adopting Moratoria on Emergency Shelters"

(H.P. 1370) (L.D. 2146)

Majority (8) **OUGHT TO PASS AS AMENDED** Report of the Committee on **STATE AND LOCAL GOVERNMENT READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-760)** in the House on February 22, 2024.

Came from the Senate with the Minority (5) **OUGHT NOT TO PASS** Report of the Committee on **STATE AND LOCAL GOVERNMENT READ** and **ACCEPTED** in **NON-CONCURRENCE**.

On motion of Representative TERRY of Gorham, **TABLED** pending **FURTHER CONSIDERATION** and later today assigned.

COMMUNICATIONS

The Following Communication: (H.C. 429)

STATE OF MAINE ONE HUNDRED AND THIRTY-FIRST LEGISLATURE COMMITTEE ON LABOR AND HOUSING

February 26, 2024

The Honorable Troy Jackson
President of the Senate

The Honorable Rachel Talbot Ross
Speaker of the House of Representatives

131st Legislature

State House

Augusta, ME 04333

Dear President Jackson and Speaker Talbot Ross:

Please accept this letter as the report of the findings of the Joint Standing Committee on Labor and Housing from its review and evaluation of the Maine State Housing Authority (MaineHousing) under the State Government Evaluation Act, Title 3 Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the committee notified the Maine State Housing Authority by letter dated April 20, 2023 of its intent to conduct a review. MaineHousing submitted its program evaluation report on November 1, 2023.

The committee has reviewed the report and unanimously finds that the Maine State Housing Authority is operating within its statutory authority.

Additionally, the committee discussed the relationship between MaineHousing and the Legislature. MaineHousing is a quasi-independent entity governed by a Board of Directors but is subject to funding, policy decisions, directives and review by the Legislature. Committee members acknowledged there is no executive branch "Department of Housing" and wonder how this effects policy outcomes and products generated by MaineHousing. The Committee discussed that perhaps a future Legislature may want to examine the structure of MaineHousing and what changes may be necessary to meet the State's housing demand.

The Committee appreciates and welcomes additional thoughts on oversight from both the Legislature and the Executive Branch on different mechanisms of oversight especially as it pertains to program development.

Sincerely,
S/Mike Tipping
Senate Chair
S/Amy Roeder
House Chair

READ and ORDERED PLACED ON FILE.

The Following Communication: (H.C. 430)

**STATE OF MAINE
ONE HUNDRED AND THIRTY-FIRST LEGISLATURE
COMMITTEE ON MARINE RESOURCES**

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 Marine Resources from its review and evaluation of the Lobster Advisory Council under the State Government Evaluation Act, Title 3 of the Maine Revised Statutes, chapter 35.

The committee heard a presentation from the Lobster Advisory Council on February 1, 2024, and finds that the Council is operating within its statutory authority; however, we are recommending that, moving forward, the Lobster Advisory Council be removed from the list of agencies regularly scheduled for review under the State Government Evaluation Act. We make this recommendation because many of the requirements of the GEA are not germane to the Lobster Advisory Council's structure or work. The committee has proposed legislation to effectuate this change.

Sincerely,
S/Sen. Cameron Reny
Senate Chair
S/Rep. Allison Hepler
House Chair

READ and ORDERED PLACED ON FILE.

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

ORDERS

On motion of Representative LANDRY of Farmington, the following Joint Order: (H.P. 1438)

ORDERED, the Senate concurring, that the Joint Standing Committee on Inland Fisheries and Wildlife shall report out, to the House, a bill regarding gas tax allocations.

READ and PASSED.

Sent for concurrence.

On motion of Representative LAJOIE of Lewiston, the following House Order: (H.O. 42)

ORDERED, that Representative Jeffrey Sean Adams of Lebanon be excused Feb 21 and 22 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Mark Michael Babin of Fort Fairfield be excused Feb 15, 20, 21 and 22 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Meldon H. Carmichael of Greenbush be excused Feb 15, 20, 21 and 22 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Sally Jeane Cluchey of Bowdoinham be excused Feb 15 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Amanda N. Collamore of Pittsfield be excused Feb 21 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Deqa Dhalac of South Portland be excused Jan 23 and 25 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Victoria W. Doudera of Camden be excused Feb 27 for legislative business reasons.

AND BE IT FURTHER ORDERED, that Representative Irene A. Gifford of Lincoln be excused Feb 21 for health reasons.

AND BE IT FURTHER ORDERED, that Representative David G. Haggan of Hampden be excused Feb 1, 6, 8, 13 and 15 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Randall C. Hall of Wilton be excused Feb 22 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Caldwell Jackson of Oxford be excused Feb 13, 21 and 22 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Michel A. Lajoie of Lewiston be excused Feb 21 for personal reasons and Feb 27 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Ann Higgins Matlack of St. George be excused Feb 6 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Joshua Morris of Turner be excused Jan 23 and 25 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Kevin J. M. O'Connell of Brewer be excused Feb 22 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Chad Richard Perkins of Dover-Foxcroft be excused Feb 21 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Morgan J. Rielly of Westbrook be excused Feb 21 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Tammy L. Schmersal-Burgess of Mexico be excused Feb 20, 21 and 22 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Mark Walker of Naples be excused Feb 27 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Stephen J. Wood of Greene be excused Feb 22 for health reasons.

READ and PASSED.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Douglas Maifeld, of Rumford, a school resource officer with Regional School Unit 10, who received the Lifetime Achievement Award from the Maine Association of Police for his over 30 years of dedication to the youth of Maine and nearly 35 years of service as a police officer in Maine. We extend our congratulations and best wishes;

(SLS 1468)

On **OBJECTION** of Representative HENDERSON of Rumford, was **REMOVED** from the Special Sentiment Calendar.

READ.

Subsequently, this Expression of Legislative Sentiment was **PASSED** in concurrence.

Recognizing:

Ruth Beamis, of Yarmouth, who is celebrating her 100th birthday on March 1, 2024. We extend our congratulations and best wishes;

(HLS 765)

Presented by Representative BELL of Yarmouth.

Cosponsored by Senator PIERCE of Cumberland.

On **OBJECTION** of Representative BELL of Yarmouth, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Yarmouth, Representative Bell.

Representative **BELL**: Thank you, Madam Speaker. Ruth Beamis's early formative years were among her large family up in Caribou. Then, she went on to college at Illinois Wesleyan and, after some time in the health care field still up in the County, Ruth moved to southern Maine and that has been her home since around 1960. She worked for over 30 years as a social worker here in the State, with a wide and varied territory. Her daughter, Mary, and son-in-law, David, live nearby in Freeport. Ruth's two grandkids live out of State; Olivia and Noah. And Ruth is having an open house tomorrow and I'm going to be attending and Ruth, if you're watching, please leave me a sandwich. Thank you.

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

Recognizing:

Isaac Keresey, of Pittsfield, a student at Maine Central Institute, who won the Class B North Wrestling Championship in the 157-pound Weight Class. We extend our congratulations and best wishes;

(HLS 766)

Presented by Representative COLLAMORE of Pittsfield.

Cosponsored by Senator FARRIN of Somerset.

On **OBJECTION** of Representative FAULKINGHAM of Winter Harbor, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

Sam Gerrie, of Pittsfield, a student at Maine Central Institute, who won the Triple Jump Event at the Kennebec Valley Athletic Conference Class B Indoor Track Championship and placed second in the Long Jump Event, setting a new school record. We extend our congratulations and best wishes;

(HLS 767)

Presented by Representative COLLAMORE of Pittsfield.

Cosponsored by Senator FARRIN of Somerset.

On **OBJECTION** of Representative FAULKINGHAM of Winter Harbor, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

Gabrielle Finelli, of Pittsfield, a student at Maine Central Institute, who placed second in the Triple Jump Event at the Kennebec Valley Athletic Conference Class B Indoor Track Championship. We extend our congratulations and best wishes;

(HLS 768)

Presented by Representative COLLAMORE of Pittsfield.

Cosponsored by Senator FARRIN of Somerset.

On **OBJECTION** of Representative FAULKINGHAM of Winter Harbor, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

Amya Braley, of Pittsfield, who placed second in the Shot Put Event at the Kennebec Valley Athletic Conference Class B Indoor Track Championship. We extend our congratulations and best wishes;

(HLS 769)

Presented by Representative COLLAMORE of Pittsfield.

Cosponsored by Senator FARRIN of Somerset.

On **OBJECTION** of Representative FAULKINGHAM of Winter Harbor, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

Heather Nelson, of Pittsfield, a student at Maine Central Institute, who placed second in the Pole Vault Event at the Kennebec Valley Athletic Conference Class B Indoor Track Championship. We extend our congratulations and best wishes;

(HLS 770)

Presented by Representative COLLAMORE of Pittsfield.

Cosponsored by Senator FARRIN of Somerset.

On **OBJECTION** of Representative FAULKINGHAM of Winter Harbor, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

the Maine Central Institute Indoor Track Team, of Pittsfield, which placed second at the Kennebec Valley Athletic Conference Class B Championship. We extend our congratulations and best wishes;

(HLS 771)

Presented by Representative COLLAMORE of Pittsfield.

Cosponsored by Senator FARRIN of Somerset.

On **OBJECTION** of Representative FAULKINGHAM of Winter Harbor, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

Keith Cook, of Burnham, a student at Maine Central Institute, who won the Kennebec Valley Athletic Conference Class B North Wrestling Championship in the 138-pound Weight Class. We extend our congratulations and best wishes;

(HLS 772)

Presented by Representative COLLAMORE of Pittsfield.

Cosponsored by Senator CURRY of Waldo.

On **OBJECTION** of Representative FAULKINGHAM of Winter Harbor, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

In Memory of:

the Honorable Richard Stuart "Dick" Davies, of Hallowell. Mr. Davies had an extensive career in public service and was elected four times to the Maine State Legislature as a representative for Orono, serving from 1974 to 1982 and advocating for utility reform and sponsoring first-in-the-nation legislation to end mandatory retirement. From 1982 to 1986 and again from 2003 to 2007 he served as a Senior Policy Advisor to Governor Joseph E. Brennan and Governor John E. Baldacci, advising on state policies, legislative relations and emerging issues. From 1986 to 1990 he served as Director of Development and Director of Government Relations at the Maine State Housing Authority, where he advocated on behalf of communities to develop affordable housing and on behalf of tenants of publicly financed housing, and from 1990 to 2002 he advocated on behalf of a diverse range of clients including a natural gas utility, an association of school superintendents, a public land financing organization and an association of Community Action Program agencies. From 2007 until his retirement in 2013 Mr. Davies served as Maine's Public Advocate, and after retirement he served as the Treasurer for Kennebec County and published his first book, *The King's Gold Double Leopards*. Mr. Davies will be long remembered and sadly missed by family and friends and all those whose lives he touched;

(HLS 655)

Presented by Representative SHAGOURY of Hallowell.

Cosponsored by Senator HICKMAN of Kennebec.

On **OBJECTION** of Representative SHAGOURY of Hallowell, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Hallowell, Representative Shagoury.

Representative **SHAGOURY**: Thank you, Madam Speaker. Madam Speaker, I rise today to speak about my friend and neighbor, Dick Davies; the Honorable Dick Davies, excuse me. Dick was all about public service. Fresh out of the University of Maine, he joined VISTA and served his tour there and when he was done, he came back to Maine to go to graduate school. While in graduate school, he made the fateful decision to run for the Legislature. He was a Member of this Body for four terms, representing Orono, from 1974 to 1982. And, as mentioned in the Sentiment, his proudest achievement was sponsoring the first successful bill in the nation to ban mandatory retirement. When you think about that, that's quite a remarkable cause for a twenty-something to champion. In his down times here, he would pore through his copies of *Mason's Manual* and he would tutor freshmen legislators and sometimes not-so-freshmen legislators on the intricacies of the rules we live by here. He loved politics and he loved this building and I'd like to think he'd especially enjoy being honored here today.

After serving in the Legislature, the rest of his life was spent in or around politics, be it working for Governor Brennan or Baldacci, lobbying or serving as the Public Advocate. It was when he was a policy advisor to Governor Brennan that he met the love of his life, his wife, Susan MacPherson, who is here today in the gallery. He had an amazing grasp of politics and political races. He was sought after whenever redistricting came about, because he knew how to put numbers together and how to make things happen. He instinctively knew how many votes a candidate would need in a given district or region to win an election.

After retiring as Public Advocate in 2013, he served as Kennebec County Treasurer, and he fulfilled a lifelong dream of publishing a book, a medieval mystery called *The King's Gold Double Leopards*, which is actually quite a good read. He traveled and he loved to hang out with Susan and their beloved dogs. For the last 20 years, I had the great pleasure of being his next-door neighbor. He would ask me for inside stories of what was happening here at the State House and in return, he'd regale me with tales of how things used to be here. It was a particularly cruel twist of fate that this brilliant man was struck with a form of rapidly advancing dementia, the complications of which ultimately killed him.

I'll close with a quote from a character in his book: "There will always be a right way and a wrong way to act in your life! And the better your choices, the more joyful your life will be." Thank you very much, Madam Speaker.

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-541)** on Bill "An Act to Authorize the Efficiency Maine Trust to Establish a Program to Support the Uptake of Medium-duty and Heavy-duty Zero-emission Vehicles by Maine Businesses and to Establish a Medium-duty and Heavy-duty Zero-emission Vehicle-to-grid Pilot Project"

(S.P. 61) (L.D. 122)

Signed:

Senators:

LAWRENCE of York
GROHOSKI of Hancock

Representatives:

ZEIGLER of Montville
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:

BABIN of Fort Fairfield
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-541)**.

READ.

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

The same Representative **REQUESTED** a roll call on his 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 Montville, Representative Zeigler.

Representative **ZEIGLER**: Thank you, Madam Speaker. I rise to speak in support of this bill, LD 122, "An Act to Update the Electric Vehicle Rebate Program and to Establish a Pilot Program to Support the Uptake of Medium Duty and Heavy Duty Zero-emission Vehicles".

Transportation in Maine is responsible for over half of Maine's annual greenhouse gas emissions. In Maine Won't Wait, the Maine Climate Council's four-year plan for climate action, strategy A-1 is to accelerate Maine's transition to electric vehicles. Strategy A-1 goes on to say; create policies, incentives and pilot programs to encourage the adoption of electric, hybrid and alternate fuel medium- and heavy-duty vehicles, public transportation, school buses and ferries. The goal of this bill is to do just that.

This bill directs Efficiency Maine Trust, using resources from existing electric vehicle fund, to establish a Maine pilot program over the next two years for medium-duty and heavy-duty vehicles and commercial applications using a battery

electric propulsion system. Participation is limited to Maine businesses of 500 employees or less and 50% of the funds must go to small businesses of 50 or fewer employees. The pilot program shall prioritize the medium- and heavy-duty vehicle types that are most commonly used in Maine where electric models of those vehicle types are commercially available. The duty cycle proposed by the program participants is suitable for other electric models, with consideration for the amount of type of daily use and potential to improve energy independence and reduce greenhouse gas emissions. By December 31, 2026, the Trust is required to submit a report to the Energy, Utilities and Technology Committee on the activities and findings of the pilot program.

The following organizations were proponents of the pilot project: The Associated General Contractors of Maine, the Professional Logging Contractors of Maine, the Maine Motor Transport Association, the Maine Better Transportation Association and the Maine Forest Products Council.

Not all businesses in Maine are ready right now to add an electric truck to their fleet and gather data for themselves and us regarding efficiency, fuel cost savings and maintenance savings. Not all applications and truck classes may be currently suitable for this pilot project. The pilot program, however, hopes to answer these questions by putting EV trucks to work for a variety of willing businesses. As a representative for the Association General Contractors of Maine stated, this bill will assist with evaluating the use of zero emissions vehicles for commercial trucks and help determine the practical uses to ensure the task required can be completed with the emerging technology. As a sponsor suggested, follow my electric light on this bill. Thank you.

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

Representative **WARREN**: I just wanted to rise briefly in support of this motion and particularly on the point of equity. The overwhelming majority of Maine businesses are small businesses and it's great to see and I really appreciated working with the sponsor to ensure that this bill will give priority to our small businesses in this massive transition we need to make and the ways that we need to incentivize adoption. It's really important that we do so with an equity lens. It may take a little longer, we may have to work a little bit harder, but I'm really supportive of this motion and happy to see it pass.

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. 386

YEA - Abdi, Ankeles, Arford, Bell, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Hasenfus, Hobbs, Jauch, Kessler, Kuhn, Lajoie, Landry, LaRochelle, Lee, Lookner, Madigan, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Neil, Osher, Perry A, Pluecker, Pringle, Rana, Rielly, Riseman, 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, Ardell, Babin, Bagshaw, Blier, Bradstreet, Campbell, Carlow, Carmichael, Cray, Cyrway, Davis, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness,

Newman, Nutting, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Arata, Boyer, Boyle, Collamore, Costain, Crockett, Drinkwater, Gramlich, Hepler, Malon, O'Connell, Perry J, Polewarczyk, Rudnicki.

Yes, 75; No, 61; Absent, 14; Vacant, 1; Excused, 0.

75 having voted in the affirmative and 61 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-541)** 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-541)** in concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass** on Resolve, to Adopt Conceptual Elements of the 2023 Augusta State Facilities Master Plan

(S.P. 869) (L.D. 2068)

Signed:

Senators:

NANGLE of Cumberland
BALDACCI of Penobscot
LYFORD of Penobscot

Representatives:

STOVER of Boothbay
ABDI of Lewiston
COPELAND of Saco
RISEMAN of Harrison
SINCLAIR of Bath

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

Signed:

Representatives:

ADAMS of Lebanon
GREENWOOD of Wales
POMERLEAU of Standish
UNDERWOOD of Presque Isle

Came from the Senate with the Majority **OUTGOING TO PASS** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED**.

READ.

Representative STOVER of Boothbay moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

Representative GREENWOOD of Wales **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought 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 Wales, Representative Greenwood.

Representative **GREENWOOD**: Thank you, Madam Speaker. Although I do appreciate all of the work of the Capitol Planning Commission, what I can't support in this is the proposal that we're going to be electrifying all of our State buildings. We don't even have an energy policy that is sustainable, Madam Speaker, so, for that reason, I cannot support the elements

within this bill. So, please join me in voting no on the pending motion.

The SPEAKER: The Chair recognizes the Representative from Presque Isle, Representative Underwood.

Representative **UNDERWOOD**: Thank you, Madam Speaker. On the subject of green energy, the State needs to have a referendum done if they support this green energy, and either a yes or a no vote. If that could happen, please tell me how to do it and we'll try to work on it, thank you.

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

Representative **BRIDGEO**: Thank you, Madam Speaker, Members of the House. This bill suggests to me that I've been around a long time, maybe too long. In the year 2000, when the last State Facilities Master Plan was adopted, I was a member of that Commission as the City Manager of Augusta. It was a pretty impressive process back then, and one of the things that impressed me the most as a city representative was the consideration that was extended to the community as the State embarked on a process to set goals and a roadmap, if you will, for the next 20 years.

Fast forward 20 years and I was still the City Manager a couple years ago, when the State began the process anew. And this process, it's my understanding, is required by Statute. So, it was going to happen. So, I participated in the initial stages of this current process and then when I retired and lost my mind and came over here, I left that process to others. But I did assure myself in conversation with elected representatives in Augusta and with the professional planning staff and others that the community was very well represented again in this process. I also satisfied myself that it is a broad roadmap for our State Government as it looks to its largest physical assets on this side of the river and over on the east side campus, trying to anticipate what's going to happen over the next 20 years.

Every good business and every community goes through long-range master planning processes, and the State should be no different and, in this case, it isn't. It is true that this plan tries to anticipate and take into consideration state-of-the-art energy conservation and energy savings in the plan, as anybody would. It is also true that any of a number of other aspects that we want to try to anticipate come into play as well. There are a number of buildings on the east side campus, and on this side of the river, that were either in decrepit condition 25 years ago or didn't exist that are now part of the landscape and the land and buildings portfolio of the State and I think that what has happened over the last 25 years is impressive and very well done, whether that was a Republican administration, an Independent administration or a Democratic administration.

From my review of the document that is the subject of this piece of legislation that it's a good move going forward, it's going to be a benefit to the State and to the municipality and so, for that reason, I support it very strongly and I encourage you to do the same. Thank you.

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

Representative **STOVER**: Thank you, Madam Speaker. I rise again in support of this Resolve. The Augusta Area Facilities Steering Committee created and presented a conceptual 20-year plan which included objectives of the State's 2020 climate action plan, Maine Can't Wait. It is done in an effort to be responsible stewards of the historical State property in question. The conceptual plan calls to reduce the carbon footprint used over the next 20 years. The plan outlines the ways in which the State will proceed with restoration and revitalization of the east and west side campuses while reducing

negative climate impacts. Historical preservation and repurposing are the focus and are balanced with the need to modernize the facilities, much like this one, in an effort to preserve the historical integrity and modernization of these systems that run these buildings. Thank you.

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

ROLL CALL NO. 387

YEA - Abdi, Ankeles, Arford, Bell, Brennan, Bridgeo, Carlow, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Hasenfus, Hobbs, Jauch, Kessler, Kuhn, Lajoie, Landry, LaRochelle, Lee, Lookner, Madigan, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, O'Neil, Osher, Perry A, Pluecker, Pringle, Rana, Rielly, Riseman, 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, Bradstreet, Campbell, Carmichael, Cray, Cyrway, Davis, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Sampson, Schmursal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Boyer, Boyle, Collamore, Costain, Crockett, Drinkwater, Gramlich, Hepler, Malon, O'Connell, Perry J, Polewarczyk, Rudnicki.

Yes, 76; No, 61; Absent, 13; Vacant, 1; Excused, 0.

76 having voted in the affirmative and 61 voted in the negative, 1 vacancy with 13 being absent, and accordingly the Majority **Ought to Pass** Report was **ACCEPTED**.

The Resolve was **READ ONCE**.

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** in concurrence.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-781)** on Bill "An Act to Enact the Safe Cosmetics Act"

(H.P. 1224) (L.D. 1908)

Signed:

Senators:

BRENNER of Cumberland
CARNEY of Cumberland

Representatives:

GRAMLICH of Old Orchard Beach
BELL of Yarmouth
BRIDGEO of Augusta
CAMPBELL of Orrington
DOUDERA of Camden
HOBBS of Wells
SCHMERSAL-BURGESS of Mexico
WOODSOME of Waterboro

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

Signed:

Senator:

LYFORD of Penobscot

READ.

On motion of Representative DOUDERA of Camden, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

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:

(S.P. 657) (L.D. 1640) Bill "An Act to Require Industry Training and Certification for Persons Undertaking Corrosion Prevention and Mitigation for Bridges" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-546)**

(S.P. 783) (L.D. 1921) Bill "An Act to Amend the Laws Regarding State-chartered Credit Unions" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-542)**

(S.P. 852) (L.D. 2024) Resolve, to Authorize the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-540)**

(S.P. 854) (L.D. 2026) Bill "An Act to Authorize Medical Waivers for Menhaden Fishing Licenses" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-545)**

(S.P. 877) (L.D. 2084) Bill "An Act to Provide Funding for Essential Services for Victims of Crimes" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-539)**

(S.P. 916) (L.D. 2160) Bill "An Act to Provide for the 2024 and 2025 Allocations of the State Ceiling on Private Activity Bonds" (EMERGENCY) Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-543)**

(S.P. 924) (L.D. 2173) Resolve, to Rename the Interstate 295 Interchange in the Town of Freeport the Matthew MacMillan Bridge Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-538)**

(H.P. 1394) (L.D. 2179) Resolve, Regarding Legislative Review of Portions of Chapter 64: Maine School Facilities Program and School Revolving Renovation Fund, a Major Substantive Rule of the Department of Education and the Maine Municipal Bond Bank (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass**

(H.P. 182) (L.D. 284) Bill "An Act to Implement the Recommendations of the Maine Workforce, Research, Development and Student Achievement Institute" Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-783)**

(H.P. 1349) (L.D. 2125) Bill "An Act to Establish the Alzheimer's Disease and Other Dementias Advisory Council Within the Department of Health and Human Services and to Require a State Plan to Address Alzheimer's Disease and Other Dementias" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-782)**

(H.P. 1357) (L.D. 2133) Bill "An Act to Expand the Use of Career and Technical Education Centers in the Development of the Electrician Workforce" (EMERGENCY) Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-784)**

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

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

ENACTORS

Emergency Measure

An Act to Increase the State's Share of the Cost of Health Insurance for Retired Teachers

(H.P. 1136) (L.D. 1773)
(C. "A" H-762)

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 Alfred, Representative Sampson.

Representative **SAMPSON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. It probably goes without saying, but it's pretty obvious that my colleagues on the other side of the aisle, they own every Committee, they own the leadership in the House and the Senate, they own every Department and the Executive Branch. And all I would have to say regarding this bill is let's get it done.

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. 388

YEA - Abdi, Adams, Albert, Andrews, Ankeles, Arata, Arford, Babin, Bell, Blier, Bradstreet, Brennan, Bridgeo, Campbell, Carlow, Carmichael, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Cyrway, Davis, Dhalac, Dill, Dodge, Doudera, Ducharme, Eaton, Faulkingham, Fay, Fredericks, Galletta, Gattine, Geiger, Gere, Gifford, Golek, Graham, Greenwood, Griffin, Guerrette, Haggan, Hall, Hasenfus, Henderson, Hobbs, Jackson, Jauch, Javner, Kessler, Kuhn, Lajoie, Landry, Lanigan, LaRochelle, Lavigne, Lee, Lemelin,

Lookner, Lyman, Madigan, Mason, Mastraccio, Mathieson, Matlack, Meyer, Millett H, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, Ness, Newman, Nutting, O'Neil, Osher, Parry, Perry A, Pluecker, Poirier, Pomerleau, Pringle, Rana, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sampson, Sargent, Sayre, Schmersal-Burgess, Shagoury, Shaw, Sheehan, Simmons, Sinclair, Skold, Smith, Soboleski, Stover, Strout, Supica, Terry, Theriault, Thorne, Underwood, Walker, Warren, White B, Williams, Wood, Woodsome, Worth, Zager, Zeigler, Madam Speaker.

NAY - Ardell, Bagshaw, Cray, Dunphy, Foster, Hymes, Libby, Morris, Paul, Perkins, Quint, Swallow, White J.

ABSENT - Boyer, Boyle, Collamore, Costain, Crockett, Drinkwater, Gramlich, Hepler, Malon, O'Connell, Perry J, Polewarczyk, Rudnicki.

Yes, 124; No, 13; Absent, 13; Vacant, 1; Excused, 0.

124 having voted in the affirmative and 13 voted in the negative, 1 vacancy with 13 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, Regarding Legislative Review of Portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a Major Substantive Rule of the Maine Health Data Organization (H.P. 1385) (L.D. 2165)

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. 115 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act to Provide Funds for Comprehensive Family Life Education Services

(S.P. 120) (L.D. 254)
(C. "A" S-537)

An Act to Amend a Notice Provision Regarding Registration of Out-of-state Child Custody Determinations Under the Uniform Child Custody Jurisdiction and Enforcement Act

(H.P. 1340) (L.D. 2081)
(C. "A" H-761)

An Act to Make Changes to Certain Laws Governing Renewable Energy Projects

(S.P. 892) (L.D. 2099)
(C. "A" S-530)

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.

Resolves

Resolve, Directing the Workers' Compensation Board to Analyze Data on the Adequacy of Certain Maine Workers' Compensation Benefits

(S.P. 767) (L.D. 1896)
(C. "A" S-534)

Resolve, to Establish the African American and Wabanaki Studies Advisory Council and Provide Funding to Support African American Studies and Wabanaki Studies

(H.P. 1279) (L.D. 2001)
(C. "A" H-763)

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

An Act to Prohibit Unauthorized Paramilitary Training

(H.P. 1354) (L.D. 2130)
(C. "A" H-757)

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

On motion of Representative FAULKINGHAM of Winter Harbor, was **SET ASIDE**.

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

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

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

Representative **FAULKINGHAM**: Thank you, Madam Speaker. Madam Speaker, this bill is an issue where the left and right can come together and oppose this because it's about our constitutional liberties. Madam Speaker, this bill does not properly define what paramilitary training is, there's no process for authorization. Madam Speaker, this bill creates a thought crime. Madam Speaker, things like camping, learning skills like first aid, shooting, hiking; these are all things that could be considered paramilitary training. This bill goes way too far. It infringes on the First Amendment, the Second Amendment, it infringes on our constitutional liberties and we should come together and oppose enactment of this bill. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Guilford, Representative White.

Representative **WHITE**: Thank you, Madam Speaker. When we debated this bill last time on the Floor, I called to question how one would be authorized in such an endeavor as paramilitary training. One of my colleagues was questioned after reading a definition of paramilitary training and after I went home, I pondered that deeply and thought when was the first time throughout my studying of history that I heard the phrase paramilitary as it related to such an item. And to the best of my recollection, I never heard it in any of the writings that I studied about the Revolutionary War or our Civil War, but right around World War I is the first time in a book that I read the phrase paramilitary. That book was written by the later-recognized Colonel Townsend Whelen back when he was a lieutenant in 1916. At that time, he spoke of the scouting movement in England as a result of the Boer Wars. The British military recognized that the young men in the country didn't have the bushcraft or the marksmanship skills that they expected when they came into bootcamp, so, they started a scouting program to teach them the basics of camping and hiking and marksmanship so that when they grew up as a responsible citizen entering into the military, they would have the fundamentals to grow from. That movement moved to this country and has been known as the Boy Scouts of America or Scouting in America now for, you know, since World War I or thereabouts.

And I know that that's going to be scoffed at and say no, these are Nazis in the north Maine woods that we're afraid of.

Well, something happened in the most rural county, in Piscataquis County, just a few years ago. We had the longest-lasting manhunt in the State's history. A man that had been imprisoned for several years for violently kidnapping a woman and her daughter and basically torturing them had been let out of prison, had served his parole and, just a few days after his parole was over, he violently attacked his former girlfriend, a different lady, and ended up killing her. Then, it resulted in more than a 60-day manhunt as he hid in the woods. That just came to me a few minutes ago because one of the groups that assisted our local law enforcement; we had FBI and, you know, law enforcement from all over, all the State agencies were there for months; but a local group of men who had been meeting as a paramilitary group for a number of years, who had trained in the use of firearms and trained in their outdoor skills and went on hikes and done all of these things, but they had never been authorized to do so. This was solely an effort of local men that decided that, living in a rural area, that it was prudent to do so. When the forces searching for this man were stretched so thin that even with the State agencies and the FBI on the scene, the incident commanders were approached by these gentlemen, they gave them quadrants of the county to patrol and basically deputized them and allowed them to assist in the perimeter. However, there was no authorization for them to have had this training previous.

I don't see anywhere in this bill where there is the ability to have authorization or any way to ask for authorization and, had there been a place to ask for authorization, I think that it would be directly in contrast to Article I, Section 16 of the State's Constitution and certainly in contrast to the Second Amendment. It is our citizens' rights to train and be prepared. It is not the government's responsibility to authorize law-abiding citizens to exercise our constitutional, God-given rights. Thank you.

The SPEAKER: The Chair recognizes the Representative from Auburn, Representative Libby.

Representative **LIBBY**: Thank you, Madam Speaker. In this Chamber, there is often heated debate, depending on the issue, and a frequent Point of Order that is called is regarding assuming intent. How can we know each other's intent? And so, that's appropriately called as, how can we possibly know the inner workings of someone else's mind? Yet, this bill does exactly that, Madam Speaker. It asks for firearms instructors to know or to assume intent to cause civil disobedience.

Madam Speaker, there has been a lot said about how this bill infringes on our Second Amendment rights, and it does, but really what concerns me more about this bill is that it infringes on the First Amendment, and our right, and our citizens' right to free speech. I'm sure we've all heard it said that the Second Amendment protects the First Amendment, but what else or who else; who else should protect the First Amendment? I know everyone present in this Chamber is aware that this bill was submitted following certain activities last year. My response to those activities and to this bill is the same. It's to remind this Chamber that it is not our job to manage Maine citizens' speech, it is our job to protect that right to free speech. To allow them to speak freely whether or not we like what they're saying, Madam Speaker. We don't have to agree with what is said, but the proper role of government is to secure and safeguard Maine citizens' right to say it.

Recently, I received a message on social media regarding a comment that was made by an individual on my social media and it was asking if I considered that comment a threat. And so, I went and I read the comment and I responded that I don't consider it a threat. I consider it that person's right to free speech. It was not a threat made against any individual, it was

simply speaking their thoughts about an issue. And so, I wonder, if this bill passes, who will be the arbiter of what is a threat and what is not?

Madam Speaker, this bill assumes that the AG has the ability to know the future. Does the AG's office have a crystal ball? Are we now able to predict future crimes a la *Minority Report*? If the AG has reason to believe that a person is violating or is about to violate; that's incredibly broad and it permits an abuse of power that could be used in a political manner. Madam Speaker, this bill has the potential to turn ordinary citizens into criminals if they fail to assume correctly regarding intent. And that seems like an odd position to take with the current majority's stance regarding decriminalization in various areas. Decriminalization with which I often agree.

Bottom line, this bill is a reaction that lacks respect for the proper role of government and our imperative to protect Maine citizens' rights, it infringes on Mainers' right to free speech and their right to keep and bear arms. I am encouraged by the actions of some of my colleagues on the other side of the aisle last week, as it seems there's some bipartisan understanding of that infringement. I'm not asking for anyone in this Chamber to like everything that is said or to agree with it but, Madam Speaker, I am asking for us to protect Mainers' right to say it.

Last week, I'm sure we all heard or even saw the group of protestors that were here at the State House. It was the Maine Coalition for Palestine. They wore t-shirts with fake blood, they lay on the floor out in the hall and they chanted. And I stand here today to urge us to protect their right to free speech, just as we protect every other Mainers' right to free speech. Not because I agree, but because that's the proper role of government. Our right to free speech is the most precious right that makes our country tremendously unique in a world where all do not have the right to express themselves in the face of punitive governments that restrict their citizens' ability to speak freely. So, let's continue to protect and preserve that right. Please follow my light and vote against the pending motion.

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

Representative **THORNE**: Thank you, Madam Speaker. I rise in opposition to the pending motion and, as with most Members in this Chamber, I keep an open mind; I like to think of all things as being possible. And especially when we start to go down that slippery slope of banning; banning people, banning activity, we discuss banning books, we discuss banning certain types of weapons, we discuss banning flavored tobacco products, we discuss restrictions on abortion and banning any restrictions and now, we're talking about banning paramilitary activity, which is legal in the United States of America. So, I ask myself a question, why here in Maine? Why is here in Maine any different than anywhere else and is this a good policy for us to follow and have other states follow our lead? So, I said well, let's look at the list of countries that prohibit paramilitary organizations outside government armed forces and see if that would fall in line with good countries to get in line with. Angola, Brazil, Bulgaria, Cape Verde, Comoros, Congo, Gabon, Guinea-Bissau, Iraq, Kazakhstan, Kenya, Mozambique, North Macedonia, Oman, Paraguay, Portugal, Romania, Serbia, South Sudan, Ukraine, Yemen. These are all countries that ban paramilitary. United States; would we fit eloquently in that list? I think not. We're a country of free speech, we're a country of free religion, we're a country of many things, but banning doesn't seem to fit our mold. I urge the Members of this Chamber to vote Ought Not to Pass on the pending motion. Thank you.

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

Representative **ANKELES**: Thank you, Madam Speaker, and Colleagues of the House. I didn't write anything down for this item, but there are a couple things I wanted to get off my chest around this bill. First, I wanted just to acknowledge all 13 Members of the Criminal Justice and Public Safety Committee for doing their best to thread the needle with respect to this bill. I think that, you know, we often overlook how painstaking the Committee process can be and I know that everyone was trying to get to a good place on this. And I appreciate, also, some of the arguments I've heard on the other side of the aisle. I often look to my friends in certain cases when it comes to thinking about how we protect our individual liberties.

I think that the Representative from Orono worked really, really hard to make sure that this is a lot narrower of a bill than I think what we're hearing. This is a bill that has an incredibly high burden of proof, and it seems like nobody in this Chamber would want a low burden of proof for something like this. It's a pretty serious thing that we're addressing and a lot of it; the ultimate purpose is to try and thread that needle between making sure we respect all of our freedoms and making sure that we're all physically safe as a State. And I'm not just rising on this because I happen to be one of the Legislature's six Jewish members, I'm also rising on this because just seeing the atmosphere around the State and around the country and knowing, as I read the news, that I happen to represent what I think might be the single most-demagogued legislative district in the country right now. It makes me feel very unsafe to wonder what kind of people are out there, thinking about causing extreme violence in my own legislative district. And I think we all know what's located there that has gotten now international coverage as of yesterday morning. And I just feel that we really need to understand that the burden of proof is incredibly high for a crime like this and this is an important tool for law enforcement to have if people are preparing to do harm to our fellow citizens.

The last thing I want to close with is that we pass bills all the time in this Chamber that we have arguments on both sides about what the consequences of passing a bill could be, we worry about our unintended consequences, and I have faith in this Body; not only that we've got it right this time, but that in the event that we see anything even close to some of the scenarios that we've heard described today and on the previous time we debated this bill, I would be more than proud to stand up and make sure that we rectify anything that we felt infringed on our individual liberties as a country. And so, I want to just say, with the most respect, that I hope we do pass this bill today. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Albion, Representative Cyrway.

Representative **CYRWAY**: Thank you, Madam Speaker. I've been in law enforcement for many years and I've gone to a lot of competitions for firearms at the Augusta city gun range here, I've gone to the SAM's groups where they have young kids learn how to shoot efficiently, I've gone to scouting groups where they've done the same thing, I actually taught DARE in many schools and I had a principal; actually, she was Champion in the whole nation for firearm shooting. But they also have to shoot; they have to learn how to be disciplined, they have to learn how to be efficient and gun safety. A lot of them learn to be confident in what they do and they get pride in what they do. And I've seen in these competitions where young people learn how to be responsible and learn how to take pride in their accomplishments, and I believe that this bill doesn't really hit the mark on what is trying to be accomplished here. I believe there's

reckless use of a firearm, there's different forms of planning a situation, and I think; you're taking paramilitary and unauthorized trainings to a different level. So, I think that this bill really doesn't hit the mark and I think that we really got to be careful because when we do this, a lot of ranges and a lot of insurance, a lot of everything is going to be looking at this differently than what it's really proposed and I think that you're going to see a ripple effect. And so, I think we really got to be careful of how we step on the toes of all these good things that are happening in our State. I think that we just got to be careful and that's all I'm asking is to re-look at this and not vote for this today, vote against it and let's take another look. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Hodgdon, Representative Quint.

Representative **QUINT**: Thank you, Madam Speaker. I rise again opposed to this bill.

I would like to go on just a small rabbit trail, if I can. Three years ago, four years ago now, when we were dealing with COVID, I had put in a bill; and this was before the vaccine was ever mandated; I put in a bill and I just wanted to make sure that because of fear, it wouldn't be mandated. Fear has a way of taking away our inhibitions about passing judgments on people and in this situation, I received death threats; once again, it was fear speaking. I had letters and emails coming to me where people were telling me what they would like to do to me and my family. I was told repeatedly that they hoped I got COVID and died. Merely because I was protecting the rights of people.

I stand again to be doing the same thing today. Once again, this was in my district. I sent around letters to all of my towns, of which I have many, and in those town letters that go into their books, I once again reiterated that it was my responsibility to protect and defend their constitutional rights. That is my main job here, and then, to represent them in the way in which they would like me to. In my district, where this group was located, I did not receive hundreds of emails from people over this. I received a few, and I reached out to each and every one of them and I asked them, have you been threatened by this group, and they responded to me that no, they hadn't, they just didn't feel safe.

Not feeling safe is not a reason to take away someone's constitutional rights. It's not. But what I did tell them is we do have laws in place. If a threat is made, call the authorities right away and call me, and I'll be the first one there fighting in your behalf to make sure that something is done. But until those rights are actually violated; in other words, those rights of the people who were being threatened were violated by this group; we do not have the right to preemptively tell someone what they can and cannot do when we have no idea what they're going to do. We can have all of the laws in place, and which we do have those laws in place. The Representative from Monticello had spoken about last week that there are conspiracy laws in place, there are laws that would take care of concerns that people had. But this is going to a whole other level and, once again, there are no guardrails. This is government overreach and I am opposed to this bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Harrington, Representative Strout.

Representative **STROUT**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. So, there's a lot of talk about the constitutional rights and infringements, but, for me, I've realized being here that Washington County is vastly different than a lot of places in the rest of the State. So, when I look at these bills, I look at what's going to happen that affects my area. And we're very, very much pro-working with kids to

teach them safety regulations, we have Fish and Game Clubs, we just had the 18th annual Frozen Mosin, where there were 113 shooters that scored in the 100-yard match. So, we gather regularly at these organizations to make sure that people are trained how to use weapons. I have a son who started hunting when he was five in the woods. He harvested his first animal at nine years of age. And we just took a hunter safety course together because, in this State, they have regulations that help make sure that youths are trained and know how to safely use weapons.

So, my fear is that this is so broad that it will start taking away some of those organizations and those rights. And I've heard it said that it's the opportunity to be selective, like, it won't affect VFWs and American Legions, but when you start making a list of things that it doesn't pertain to, is that really covering what it does? So, if you have a law that you put in place but you have every exception, then really, what is the enforcement? Wouldn't it be better to take the time to work on something that really makes the effect that you're looking for? This bill, in the fiscal note, says this bill may increase the number of new cases and civil suits filed in a court system. The additional workload associated with the minimal number of cases filed in the court system does not require additional funding at this time. But now, we're also going to have the opportunity of burdening our courts with what people think falls under this because we have the exceptions.

So, I'm opposed to this bill. I think we should focus more on laws that are specific, not laws that contain exemptions, because then it's hard to enforce and then it becomes taking away more rights of those that are trying to train and teach people to be safe with the firearms and protect ourselves. Thank you.

The SPEAKER: The Chair recognizes the Representative from Phillips, Representative Soboleski.

Representative **SOBOLESKI**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. The definition of paramilitary: Relating to being or characteristic of a force formed on a military pattern especially as a potential auxiliary military force. The definition of militia: A military force that is raised from the civilian population to supplement a regular army in an emergency. The Second Amendment reads: A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed. The Second Amendment states that, as an American citizen, you have the individual right to arm yourself. The Amendment also firmly establishes that the government cannot infringe on that right. And it's not just the United States Government that can't infringe; any government can't infringe, and that includes our own State Government. Thank you, Ma'am.

The SPEAKER: The Chair recognizes the Representative from Kennebunk, Representative Sayre.

Representative **SAYRE**: Thank you, Madam Speaker. I don't have prepared words. I will share that I really struggled with this vote but have come to clarity on it, and that clarity may be useful to other Members of this Body.

We've heard a lot so far this morning about concerns that I share, but those concerns are not germane to this bill. If you read the bill, you will see that it is not a ban of anything. It has no impact on scouting or camping or teaching someone in the safe use of a firearm. It says nothing about the American Legion or the VFW or any other organization in which people, armed or unarmed, choose to gather and choose to share training.

I would like to share with my colleagues who have been reading other law; other important law, the Amendments to our Constitution; what this law is. It creates a crime if a person does

a number of specified things, all of those things, or if a group of people does a set of specified things, all of those things. It sets a very high bar for what unauthorized paramilitary training is and it is specific to teaching a person who demonstrates that they intend or knows that the teaching, training or demonstrating is intended to be used in the furtherance of civil disorder or assembling with the intent of causing injury or the death of another person or if the person intends or knows that the practicing, training or instruction is intended to be used in or in furtherance of civil disorder. These are things that would need to be proven in a court of law and I would ask my fellow Members who have not yet reached the clarity that I have, that this is something worthy of being the status of a crime. This is something that we do not want to have in our civil society and I would ask my other Members why would you defend the training of individuals to use violence, to use weapons, to use explosives specifically in the furtherance of civil disorder. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Presque Isle, Representative Underwood.

Representative **UNDERWOOD**: Thank you, Madam Speaker. I would like to have everybody in the Chamber ask themselves this particular question. Does BLM, Black Lives Matter, and Antifa; do these organizations qualify for paramilitary training? Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Milford, Representative Drinkwater.

Representative **DRINKWATER**: Thank you, Madam Speaker. I won't speak long, but I do have the bill here in front of me and it's asking for us to trust our law enforcement officials. If a person is guilty of unauthorized paramilitary training, if that person intentionally or knowingly; I really don't want to leave our law enforcement with a blank check so now they have to be mind-readers. That is a gray area I don't think that we should venture into. Now, they're going to be the thought police. The teaching, training or demonstrating as intended to be used by the other person in the furtherance of civil disorder. Really? We're going to trust our law enforcement and our government to determine what is civil disobedience and what is paramilitary training? If that's where we are, I don't think that's a good place to be. I would just like to leave this Body with two thoughts if that's the way we're headed: Ruby Ridge and Waco, Texas. Thank you.

On motion of Representative TERRY of Gorham, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned. (Roll Call Ordered)

On motion of Representative FAULKINGHAM of Winter Harbor, the House **RECONSIDERED** its action whereby the Bill was **TABLED** pending **PASSAGE TO BE ENACTED**.

Subsequently, the same Representative **REQUESTED** a roll call on the motion to **TABLE** the Bill pending **PASSAGE TO BE ENACTED**.

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 Table the Bill pending Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 389

YEA - Abdi, Ankeles, Arford, Bell, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Hasenfus, Hobbs, Jauch, Kessler, Kuhn, Lajoie, Landry, LaRochelle, Lee, Lookner, Madigan, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen,

Moriarty, Murphy, O'Neil, Osher, Perry A, 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, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Riseman, Rudnicki, Sampson, Schmursal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Boyle, Crockett, Gramlich, Hepler, Malon, O'Connell, Perry J, Polewarczyk.

Yes, 74; No, 68; Absent, 8; Vacant, 1; Excused, 0.

74 having voted in the affirmative and 68 voted in the negative, 1 vacancy with 8 being absent, and accordingly the Bill was **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned. (Roll Call Ordered)

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

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment yesterday, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (H-776)** - Minority (6) **Ought to Pass** - Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** 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)

TABLED - February 28, 2024 (Till Later Today) by Representative PLUECKER of Warren.

PENDING - **ADOPTION OF COMMITTEE AMENDMENT "A" (H-776)**.

Subsequently, **Committee Amendment "A" (H-776)** was **ADOPTED**.

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

Representative PLUECKER of Warren **PRESENTED** **House Amendment "A" (H-785)**, which was **READ** by the Clerk and **ADOPTED**.

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-776) and House Amendment "A" (H-785)** and sent for concurrence.

SENATE PAPERS

The following Joint Resolution: (S.P. 963)

**JOINT RESOLUTION RECOGNIZING FEBRUARY 29, 2024
AS ACCESS TO JUSTICE DAY**

WHEREAS, 2024 marks the 29th anniversary of the founding of the Justice Action Group, a judge-led coalition of leaders from Maine's legal community who are passionate about ensuring that all Maine people have access to civil justice; and

WHEREAS, the Justice Action Group's members include representatives of the state and federal judiciary, the Legislature, nonprofit civil legal aid providers, the University of Maine School of Law, the Maine Justice Foundation, the Maine State Bar Association, the Maine Trial Lawyers Association, private practice attorneys and others; and

WHEREAS, key initiator Judge Frank Coffin described the Justice Action Group as a catalyst, something introduced in small quantities that produces great change, and the Justice Action Group has been an advocate for equal access to justice since 1995; and

WHEREAS, equal access to justice is a bedrock principle of a free, constitutional society, but no system of laws and constitutional protections can be effective if only those who can afford private advocates have access to justice; and

WHEREAS, because justice for all is achievable only through the vigilance and action of the legislative, judicial and executive branches of government, it is important to provide for access to justice in all branches of State Government; and

WHEREAS, providing equal access to justice has tangible, widespread benefits for Maine's families, children, schools, communities, businesses, charities and government; and

WHEREAS, legal issues profoundly affect basic human needs such as safety from violence and exploitation, security and stability for children and the families in which they are nurtured, health, shelter and food security; and

WHEREAS, the need for increased support for civil legal aid and pro bono representation for low-income and vulnerable Maine people remains acute; 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 declare February 29, 2024 as Access to Justice Day to acknowledge and express our appreciation and strong support for the Justice Action Group and all civil legal aid providers and private practice attorneys who provide pro bono services for those otherwise unable to afford legal representation; and be it further

RESOLVED: That a suitable copy of this resolution, duly authenticated by the Secretary of State, be transmitted to the Justice Action Group.

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

READ.

The **SPEAKER:** The Chair recognizes the Representative from Falmouth, Representative Kuhn.

Representative **KUHN:** Thank you, Madam Speaker, Esteemed Members of the House. I appreciate the opportunity to say a few words today in recognition of Access to Justice Day and to express my strong support for the critical work that's carried out by Maine's legal services providers. Specifically, I'm speaking of organizations like the ones here today; Pine Tree Legal Assistance, Legal Services for the Elderly, Disability Rights Maine, the Immigrant Legal Advocacy Project, Volunteer Lawyers Project and Maine Justice Foundation, among others.

One of the fundamental principles of our legal system is the idea that everyone, regardless of circumstance, has access to legal representation and a fair opportunity to seek justice.

Unfortunately, thousands of Maine people every year are denied that access due to economic barriers that hinder their ability to secure legal assistance when they are faced with legal issues. Maine's civil legal services help bridge this gap by offering support for those who cannot afford attorneys. They help individuals and families secure access to basic human needs such as shelter, food, education, health care and physical safety in the case of domestic violence and sexual assault. Their impact, in fact, extends far beyond individual cases and contributes to the overall health and stability of our communities.

Because I can't resist a pitch, I'll add investing in civil legal services is a proven strategy to help make our communities healthier, safer and more resilient. I would encourage my colleagues to join these providers today from 12:00-1:30 in Leg Council to celebrate Access to Justice Day and learn more about why investing in Maine's civil legal services is so important. Thank you.

Subsequently, the Joint Resolution was **ADOPTED** in concurrence.

The following Joint Order: (S.P. 961)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, March 5, 2024, at 10:00 in the morning, or until the call of the President of the Senate and the Speaker of the House, respectively.

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

READ and **PASSED** in concurrence.

The **SPEAKER:** The Chair recognizes the Representative from Ellsworth, Representative Worth.

Representative **WORTH:** Thank you, Madam Speaker, permission to speak on the record.

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

Representative **WORTH:** Thank you, Madam Speaker. I would like to note that February 29, 1736, is the birthday of Mother Ann Lee, the founder of the Shakers. The Shakers, also known as the United Society of Believers, have still three members and they all live here in the State of Maine. They are noted as a religious group for practicing celibacy, equality between the sexes, Christian socialism. They invented the flat broom. They're known for their architecture, the designs of their furniture, their quality products, their honesty and had, at one time, 18 communes across the United States from Kentucky to Maine and now, have only the one community at Sabbathday Lake, Maine, and since Mother Ann Lee's birthday occurs only once every four years, I thought it would be important for us to note the birthday of this extraordinary woman. Thank you.

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

On motion of Representative SHAGOURY of Hallowell, the House adjourned at 12:11 p.m., until 10:00 a.m., Tuesday, March 5, 2024, or until the call of the Speaker of the House and the President of the Senate, respectively, pursuant to the Joint Order (S.P. 961) and in honor and lasting tribute to the Honorable Richard Stuart "Dick" Davies of Hallowell and Michael Bradford Harper of Fryeburg.