

MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE
SECOND REGULAR SESSION
20th Legislative Day
Tuesday, March 5, 2024

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

Prayer by Reverend Shane Stoops, First United Pentecostal Church, Augusta.

National Anthem by Freeport Middle School Band.

Pledge of Allegiance.

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

Representative **CROCKETT**: Thank you, Madam Speaker. Colleagues, I am very excited to rise today to honor the Portland High School Boys' Cross-Country Team that claimed only the third ever cross-country State Championship in school history last fall, and to Portland High's first-ever individual girls Champion.

I admit, I am a huge cross-country and track and field fan and must give a shoutout to the great sport of cross-country. I consider long-distance running the hardest sport on the planet. At its best, it's a 20-minute gut check. There are no timeouts, no substitutions, no huddles. No, just 20 minutes of pure pain. Anyone here who's run a 5K or longer knows I'm speaking the truth. You really have to be tough, some say crazy, to love cross-country.

This Championship was heartfelt to me and my former teammates. You see, 45 years ago, this then-young man was a member of the last Portland High School State Championship Cross-Country Team, which was 1978. The drought became noteworthy in a headline the last few years because the team regularly finished runner-up over that span and could never get by the great Scarborough/Lewiston teams of yesteryear or the two-time-defending State Champion, Hampden Academy squads. But this year had a different feel. Now carrying the burden of being the favorite, they broke the curse and brought home a long-awaited State Championship trophy.

If that was not enough, more history was made on that beautiful day in Belfast. For the first time ever, a young woman from Portland High School, Samantha Moore, won the individual State Championship and the team finished second, for its highest place ever. Now, don't be surprised if we see the girls' team here next year. Samantha is only a junior, and there weren't any seniors on this year's team. The future is very bright at Portland High. Thank you, Madam Speaker.

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

The Journal of Thursday, February 29, 2024 was read and approved.

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

REPORTS OF COMMITTEE

Refer to the Committee on State and Local Government Pursuant to Statute

Representative STOVER for the **Joint Standing Committee on State and Local Government** on Bill "An Act to Eliminate Inactive Boards and Commissions"

(H.P. 1440) (L.D. 2241)

Reporting that it be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** pursuant to the Maine Revised Statutes, Title 5, section 12006, subsection 2.

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

The Bill was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and sent for concurrence.

Refer to the Committee on State and Local Government Pursuant to Statute

Representative STOVER for the **Joint Standing Committee on State and Local Government** on Bill "An Act to Reduce the Reporting Requirements for Special Utility Districts and to Require the Maine Public Utility Financing Bank to File a Report with the Legislature"

(H.P. 1441) (L.D. 2248)

Reporting that it be **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** pursuant to the Maine Revised Statutes, Title 3, section 955, subsection 4.

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

The Bill was **REFERRED** to the Committee on **STATE AND LOCAL GOVERNMENT** and sent for concurrence.

Refer to the Committee on Taxation Pursuant to Resolve

Representative PERRY for the **Joint Standing Committee on Taxation** on Bill "An Act to Amend the Mining Excise Tax Laws"

(H.P. 1445) (L.D. 2251)

Reporting that it be **REFERRED** to the Committee on **TAXATION** pursuant to Resolve 2023, chapter 83, section 1.

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

The Bill was **REFERRED** to the Committee on **TAXATION** 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 Establish the Criminal Records Review Commission"

(H.P. 1444) (L.D. 2252)

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.

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

Representative **DUNPHY**: Thank you, Madam Speaker, and thank you for your indulgence. I appreciate that as well.

Madam Speaker, Ladies and Gentlemen of the House, I stand before you today with an immense sense of pride as we celebrate an extraordinary achievement. Much like the cross-country achievement celebrated in Portland, we're celebrating an undefeated 18-0 soccer season, and the boys of Carrabec High School winning the State Championship in the inaugural 8 v 8, eight-man division. This is not just a triumph for the Carrabec Cobras, but a testament to the dedication, perseverance and skill of each and every individual involved. From the very beginning of the season, the players exhibited a level of determination that was truly remarkable. They trained tirelessly, pushed themselves to their limits day in and day out. Their commitment to excellence was unwavering and it showed in every match they played. Beyond individual talents, it was the strength of the team that truly set them apart. Each player understood their role, they worked together seamlessly to achieve their common goal, they supported each other on and off the field, inspiring one another to reach new heights.

Allow me to list just a few of the on-field achievements: One hundred and five goals scored, only eight goals allowed, none in the final eight games. The Cobras never trailed in the game the entire season. Scoring 24 goals and having 28 assists, Lucas Vicneire was named Player of the Year and selected to the All-State team. Of course, none of this would've been possible without the guidance and leadership of the coaching staff, Head Coach Vicneire, and his assistant, Coach Caruso. Their strategic brilliance and unwavering belief in their players was instrumental in the team's success.

Today, as we reflect on the incredible season, let us not only celebrate the victories on the field, but also the bonds of friendship and camaraderie forged along the way. This season has been about more than just winning games, it's been about coming together as a team and achieving something truly special. So, to the players, coaches and fans, I offer my heartfelt congratulations. This undefeated season is a testament to your hard work, dedication and passion for the game. May it serve as an inspiration for future generations of athletes, reminding them that with belief, teamwork and determination, anything is possible. Thank you, Madam Speaker.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **LABOR AND HOUSING** reporting **Ought to Pass** on Bill "An Act to Improve Maine's Labor Laws by Changing the Laws Governing Elections of Collective Bargaining Agents for Certain Public Employees" (S.P. 860) (L.D. 2032)

Signed:

Senator:

TIPPING of Penobscot

Representatives:

ROEDER of Bangor
 GERE of Kennebunkport
 MALON of Biddeford
 RUSSELL of Verona Island
 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

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

READ.

Representative ROEDER of Bangor moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

The same Representative **REQUESTED** a roll call on her 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 Milford, Representative Drinkwater.

Representative **DRINKWATER**: Thank you, Madam Speaker. I actually was prepared for the Good Representative to speak and I was going to follow up. Okay. This won't be long, Madam Speaker.

None of us here on this side of the Body objects to anybody joining a union. We have no problem with that at all. What we had for a problem in Committee was the sign-up cards are handed out, distributed. We feel that this should've been a secret ballot, give the people that want to join a union time to sign it, those that don't want to join time to sign it and hand it back in. I have personally witnessed voter intimidation when I was on the School Board. We had a certain teacher go around and have a petition and interrupt classroom and say here, sign this petition, interrupting the classroom. We just feel that it should be a secret ballot. We also feel that if an employer wants to challenge it, which they have a right to, that there should be an election held. Other than that, we have no problem whatsoever with the union. 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 Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 390

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Cyway, Dhalac, Dill, Dodge, Doudera, Eaton, Faulkingham, Fay, Gattine, Geiger, Gere, Golek, Graham, Hasenfus, Henderson, Hepler, Hobbs, Jauch, Kessler, Kuhn, Lajoie, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Montell, Moonen, Moriarty, Murphy, O'Connell, O'Neil, Osher, Perry A, Perry J, Pluecker, Poirier, Pringle, Rana, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Schmersal-Burgess, 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, Campbell, Carlow, Carmichael, Collamore, Costain, Cray, Davis, Drinkwater, Ducharme, Dunphy, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Hall, Hymes, Javner, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Polewarczyk, Quint, Sampson, Simmons, Smith, Soboleski,

Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Bradstreet, Galletta, Gramlich, Haggan, Jackson, Lanigan, Lavigne, Milliken, Pomerleau, Rudnicki.

Yes, 85; No, 55; Absent, 10; Vacant, 1; Excused, 0.

85 having voted in the affirmative and 55 voted in the negative, 1 vacancy with 10 being absent, and accordingly the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED** in concurrence.

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

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-797)** on Bill "An Act to Establish a Clean Hydrogen Pilot Program"

(H.P. 1138) (L.D. 1775)

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:

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

READ.

Representative ZEIGLER of Montville moved that the House **ACCEPT** the Majority **Ought 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 Dexter, Representative Foster.

Representative **FOSTER**: Thank you, Madam Speaker. Madam Speaker, I stand opposed to the pending motion. This is the third Legislature I've been involved with where that this issue has been brought forward and I simply would ask that we continue the trend of defeating this bill and for the following reasons.

First of all, this is a pilot project which is unnecessary. One only has to look up online where projects such as this are already occurring and we can get information from those projects on whether or not something like this should be attempted in Maine. But more important, Madam Speaker, this bill will also add to the cost for ratepayers. This bill would require taxpayer subsidies for the project and then it would require the PUC to direct a utility wherever the project should land to negotiate for rates for the project, which will undoubtedly lead to ratepayers helping to subsidize the project as well.

Beyond that, Madam Speaker, this project requires a prevailing wage be paid, not just for employees of the facility, but for anyone; contractors, subcontractors and others that work at the facility. This would include, for instance, a small lawn care company that maybe has one or two employees and would win a contract for that facility to take care of it or maybe the small trash collector that would pick up trash there. Madam Speaker, there is no fiscal note attached to this because, again, with anything that's covered by ratepayers, that is not a tax that is considered before the Appropriations Committee.

And finally, Madam Speaker, we have put upon the Maine taxpayers and ratepayers continually, costs added to their energy that they pay for for electricity and other things at the gain, if you will, of these entities that are usually funded by out-of-State investors and not only do they benefit but their lobbyists and other groups benefit as well. I ask, Madam Speaker, you follow my light. Thank you.

The SPEAKER: The Chair recognizes the Representative from Camden, Representative Doudera.

Representative **DOUDERA**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. Hydrogen has been known as a potential energy storage medium for over a century. It can produce electricity in fuel cells with water as the only waste product, or through combustion in turbines without carbon dioxide emissions. However, almost all hydrogen today is produced from fossil fuels, emitting nearly a billion tons of carbon dioxide equivalent each year.

In contrast, clean or green hydrogen is clean fuel with extremely low carbon emissions. This bill requires the Public Utilities Commission, in collaboration with the Governor's Energy Office and the Department of Environmental Protection, to develop and oversee a pilot program designed to select a proposal for the development and operation of a clean hydrogen facility. To be selected for participation in the program, the facility must be located in our State, meet requirements for a 100% clean hydrogen production tax credit, have a peak electricity demand of no more than 20 megawatts and meet other requirements. After selecting one facility for participation in the program, the Commission is required to direct the transmission and distribution utility in whose territory the facility is located to negotiate with that facility for a special contract that may be approved by the Commission. A facility selected for the program must meet specified wage requirements and meet clean hydrogen production volumes identified in the proposal it submits.

Madam Speaker, here in the Maine Legislature, as my Colleague from Dexter mentioned, we've been discussing the production of clean hydrogen for at least six years. This bill came out of legislation in the 130th, a study in which it was recommended by that study that a pilot program be launched, a pilot that was right-sized for our State. I'm pleased to say that, thanks to the work of the Governor's Energy Office, the Public Utility Commission and input from the Public Advocate, we now have the framework to get a clean hydrogen pilot program launched in Maine.

First and foremost, this is clean hydrogen, using the most stringent definition put forward by the federal government. It is scaled appropriately for Maine at 20 megawatts. One facility will be selected to go ahead with the pilot, and requirements include: Advancing the renewable energy and climate policies and goals of this State; maximizing air quality, health and workforce benefits; and high standards of safety performance are also requirements. The developer of the project must identify an offtake facility that is an end use in the State, serving industrial or the transportation sector. The reason why, Madam Speaker, is that we want to decarbonize these areas' greenhouse gas emissions. If we are going to meet our State's ambitious climate goals, we have to address transportation and heavy industry.

Madam Speaker, we need this program so we can meet the goals we have outlined in Maine Won't Wait. We can't wait for other states to do our work. We've been moving towards this point here in the Legislature and now we have a program that's a collaboration between key parties in our State. This industry offers good jobs. It offers us a way to innovate in a way that's right for our own unique challenges.

And finally, Madam Speaker, this is a point that concerns the cost to us, the ratepayers, as our Colleague from Dexter has talked about. When LD 1775's hydrogen pilot program gets up and running, it will be adding electricity to the grid. The increased new load will be shouldering fixed costs from a collective pool such that other ratepayers' portion of those fixed costs will go down. That's why our Public Advocate, the PUC and the Governor's Energy Office all worked with us to put this bill forward. We recognize that clean hydrogen is key to our transition to lower carbon emissions into our State and to phase out fossil fuels, and this is a pilot program that's tailor-made for us. Thank you, Madam Speaker.

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

Representative **UNDERWOOD**: Thank you, Madam Speaker. I've got a question for the Chair. How does hydrogen work and is there anybody in here that's an expert enough to explain it? Appreciate if they could. Thank you.

The SPEAKER: The Member has posed a question through the Chair to any Member who cares to answer.

Seeing none, 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. 391

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Lajoie, Landry, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Montell, Moonen, Moriarty, Murphy, Newman, O'Connell, O'Neil, Osher, Perry A, Perry J, 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, Boyer, Campbell, Carlow, Carmichael, Collamore, Costain, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Hall, Henderson, Hymes, Javner, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski,

Strout, Swallow, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome.

ABSENT - Bradstreet, Galletta, Gramlich, Haggan, Jackson, Lanigan, Lavigne, Milliken, Rudnicki.

Yes, 81; No, 60; Absent, 9; Vacant, 1; Excused, 0.

81 having voted in the affirmative and 60 voted in the negative, 1 vacancy with 9 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-797)** 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-797)** 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 Protect Health Care Workers from HIV" (EMERGENCY)

(H.P. 1334) (L.D. 2075)

Signed:

Senator:

BAILEY of York

Representatives:

ARFORD of Brunswick
CLUCHEY of Bowdoinham
CYRWAY of Albion
MASTRACCIO of Sanford
MATHIESON of Kittery

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-800)** on same Bill.

Signed:

Representatives:

PERRY of Calais
MORRIS of Turner
NUTTING of Oakland
PRINGLE of Windham
SWALLOW of Houlton

READ.

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

Majority Report of the Joint Select Committee on **HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-789)** on Bill "An Act to Provide Regional Support to Deliver State and Federal Programs to Cities and Towns in the State"

(H.P. 379) (L.D. 602)

Signed:

Senators:

PIERCE of Cumberland
VITELLI of Sagadahoc

Representatives:

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

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

Signed:

Representatives:

BLIER of Buxton
BRADSTREET of Vassalboro
CAMPBELL of Orrington
MORRIS of Turner

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-789)** 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-789)** and sent for concurrence.

Six Members of the Committee on **VETERANS AND LEGAL AFFAIRS** report in Report "A" **Ought Not to Pass** on Bill "An Act to Adopt an Interstate Compact to Elect the President of the United States by National Popular Vote"

(H.P. 1023) (L.D. 1578)

Signed:

Senator:

TIMBERLAKE of Androscoggin

Representatives:

ANDREWS of Paris
BOYER of Poland
HYMES of Waldo
MONTELL of Gardiner
RUDNICKI of Fairfield

Five Members of the same Committee report in Report "B" **Ought to Pass as Amended by Committee Amendment "A" (H-792)** on same Bill.

Signed:

Representatives:

SUPICA of Bangor
COLLINGS of Portland
MALON of Biddeford
RIELLY of Westbrook
WILLIAMS of Bar Harbor

Two Members of the same Committee report in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-793)** on same Bill.

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland

READ.

Representative SUPICA moved that the House **ACCEPT** Report "B" **Ought to Pass as Amended**.

The same Representative **REQUESTED** a roll call on her motion to **ACCEPT** Report "B" **Ought to Pass as Amended**.

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 Bangor, Representative Supica.

Representative **SUPICA**: Thank you, Madam Speaker. Today is Election Day and, whether 500 or 500,000 people vote,

it is important to note that there are checks and balances in place all along the way, and I am grateful to the hard work of our election staff and volunteers who are such important pieces of why our elections are secure. Today, I also move Committee Amendment "A," which enters us into an agreement that, when enough states join, we in Maine will commit our electoral votes to be cast for whomever wins the popular vote across this nation. Whomever gets the most votes wins, and that is why I support this bill.

In the United States, it is the states who are empowered to write their election laws on how they run their elections. Furthermore, in the Electoral Count Reform in 2022, the law states that the electors of the President and Vice President shall be appointed in each state on election day in accordance with the laws of the state and enacted prior to election day. So, these concepts before us today are well settled. This Compact also recognizes the importance of election stability leading up to the election day and places a six-month safeguard for states to enter or exit the compact. Our elections in Maine have been and will continue to be secure. All states in the compact must comply.

Popular votes across the nation have shown more decisive margins and our recount system will be conducted as before. We already account for the time that it would take to conduct a recount in our current system and the tabulation and release of municipal, county and State popular votes are conducted in a very public way and no rogue Secretary can refuse to announce that total.

I have faith in our election system and our fellow voters to decide for themselves who should be President of this country. A vote in CD-1 and a vote in CD-2 is no more or less important from the other. From Maine to New York to Florida to Alaska to Hawaii, each person should have their vote count. It's a matter of equality and justice and one that the people have been moving towards with voting rights from the start of this nation, because not that long ago, not everybody could vote. In fact, sadly, it's still the case with some folks. So, it is important that we continue to stand here today and say that we, all across this nation, are equal and counted and represented as so. Thank you, Madam Speaker.

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

Representative **FAULKINGHAM**: Thank you, Madam Speaker. Madam Speaker, I rise in opposition to the pending motion.

Madam Speaker, I believe once again we are showing disrespect to the Committee process by running a Minority Report. I think we could at least respect the Committees and run Majority Reports out here and, if they fail, then move on to another Report. However, this bill is a terrible idea. It threatens to destroy our republic. Madam Speaker, the founders of our country realized that the most dangerous form of government was a straight democracy. That's why we have a democratically-elected republic. And this bill right here threatens to destroy that.

Madam Speaker, the State of Maine has the gold standard of electoral process. We award electors per congressional district, and then the overall winner gets more electors for the statewide vote. We should be telling other states to decide their electors the way we do, not trying to give our votes away to bigger states. I just can't imagine why anybody representing the people of Maine would want to throw away their vote and let it be absorbed by bigger states. Maine only has I think 1.3 million people. Why would we want our vote to be absorbed by bigger states? If you really, truly want the State of Maine to have a voice in national politics, why would you want to remove that?

So, Madam Speaker, this vote keeps coming up over and over, this bill, and it has been soundly rejected several times. I hope that nothing has changed there, Madam Speaker, because this is a terrible idea and I urge the Members to vote it down today. Thank you, Madam Speaker.

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

Representative **THORNE**: Thank you, Madam Speaker. I, too, rise in opposition to the pending motion. This bill will hurt Maine and hurt Mainers' voices. As you know, I'm very proud to represent two rural communities here in the State of Maine within my district, Hermon and Carmel. This is something that I take pride in. I was elected to this Body to be a voice for rural Maine citizens. And I am here to tell you LD 1578 is blatantly wrong for not only rural Maine but the entire State.

When I first came to Augusta to serve in January of 2021, I expected rural Mainers to have a seat at the table, to be a part of the decisions made in this very room that affect all of us, not just the populace parts of the State. Madam Speaker, let me ask you this. What if someone were to take away your vote in this Body because the region that you live in? No matter how you slice it, that is what the National Popular Vote Interstate Compact does to the people we were elected to serve. It is time that this Body stop muffling the voices of rural Maine. We are not going anywhere.

The one thing both sides can agree on is that we want citizens to cast their vote in each election as held. As an American citizen, that is our right and it is our duty. If the National Popular Vote Compact is adopted, we are telling our own citizens that their vote now matters less, essentially disenfranchising thousands of Maine voters. Today, we celebrate the fact that President Donald J. Trump is back on the primary presidential ballot despite what this Secretary of State in Maine attempted to do, which was remove him and remove our choice. I cannot ethically be responsible for taking away the voice of any Maine citizens. I urge you to think of the consequences of implementing a system that has no minimum percentage for a candidate to be declared the National Popular Vote winner. We have checks and balances for a reason. We have the Electoral College for a reason. Because it works. It has not failed us as of yet and it will not fail us in the future. As such, we should not be finding ways around the Electoral College system that is in place.

Madam Speaker, I implore your vote and my colleagues in this Body to follow my lead and vote no on the pending motion. Maine voters for generations to come are counting on us. Thank you, Madam Speaker.

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

Representative **SOBOLESKI**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to this bill.

America has always been a republic, not a democracy. The word democracy does not appear in the Constitution even once. That's by design. We were founded as a representative constitutional republic. We were purposefully built this way to protect the minority from the tyranny of the majority that comes with mob-rule direct democracy. Two wolves and a sheep deciding what's for dinner is no way to govern a nation or select a president. That's exactly what the Electoral College versus the National Popular Vote fight is all about. It's about protecting the voice of every state in the nation, especially large rural states with low populations like the great State of Maine.

We need to protect the Electoral College to save our voice and protect our State's sovereignty. Do we continue to use a

system that effectively holds 50 simultaneous elections across 50 states to select the 538 electors that will ultimately cast their state's electoral votes to select the President of the United States, or do we destroy what has been working for centuries and toss the Electoral College into the dustbin of history and then dismantle our sovereignty state by state until we only have the largest cities in the nation choosing our president? The president of a nation should have national support. It's been that way since our founding and it's really quite that simple. We have always been a republic and we need to keep it that way. The Electoral College ensures that one person gets their vote in one of 50 statewide elections. This also ensures that presidential candidates will have to visit as many states as they can to build as much broad coalition support as possible as they can across as many states to win the Electoral College on their way up to 270 votes. If we were to switch to a National Popular Vote, why would any viable candidate visit anywhere outside of Los Angeles, New York City, Chicago or other large urban centers? This is the opposite of campaigning to build broad coalitions across the 50 states. In fact, a president elected by the popular vote from only the big cities would be seen as an illegitimate by every rural state in the nation. The National Popular Vote would divide this nation like we have never seen. It would be seen as the urban majority forcing its will upon the unwilling and unprotected rural minorities and spit in the eye of our foundation principles governing only what comes from the consent of the governed.

The National Popular Vote will negatively and fundamentally change our nation and our future. This bill is toxic, subversive and reckless. This evidenced by the fact that no one in the House or Senate ran on a platform of abolishing the Electoral College when knocking on doors to get here. If they had on destroying the Electoral College and giving Maine's electoral votes to New York City, they would not have been voted in and laughed off the campaign trail. That's how radical and out-of-touch the mainstream bill is, yet, here we are, fighting tooth and nail for our State's sovereignty, our Electoral College and our nation. Thank you.

The SPEAKER: The Chair recognizes the Representative from Poland, Representative Boyer.

Representative **BOYER**: Thank you, Madam Speaker. Why would a National Popular Vote be so bad for Maine? Well, it's clear. Under this new regime, it wouldn't matter how Maine people vote. Big cities like New York, Chicago, San Francisco, would simply have more of a say in how Maine's votes are cast than Maine people. The power grab for big cities is an attempted end run around the U.S. Constitution to invalidate the Electoral College.

Now, granted, there are many misconceptions about the Electoral College, but one thing is clear and certain; it benefits us, the Maine people, the Maine voter. The Electoral College was designed so small states and not just large population states would have a real voice in the election of our U.S. President. So, the math is so simple even folks here today should be able to understand. Maine has 1.3 million people, there's about 331 million Americans, so, we're about 0.4% of the total population. Meanwhile, Maine has four of the United States' 538 Electoral College votes, which is 0.74% of the total vote. Under the current electoral system, Maine's impact is nearly double what it would be under National Popular Vote. Because of the Electoral College, presidential candidates work to earn Mainers' support. We just had one in town the other day; President Trump's been here, President Biden's been here. But under an NPV system, presidential campaigns would spend

their time where the people are, where the most dense urban population centers are, and Maine would be left behind.

They tell us, for the sake of fairness, Mainers should surrender their voting power. Well, you know, Maine has two U.S. Senators, equal to every other state, but we're a small State, would people in support of NPV suggest that we should loan one of our Senators to Massachusetts or New York because it's not fair? So, if you do the math with the U.S. Senators, Maine Senators' votes are 10 times more powerful than they would be if we only measured by population.

The Founders knew what they were doing, it wasn't by accident, and Madam Speaker, I'd like to pose a couple questions that came up during the committee process. What are the source of vote totals that can be used? We had a discussion about the certificate of ascertainment and whether this was the only avenue for vote totals to be used in calculating the National Popular Vote Compact. Can an estimated total, rather than actual vote totals, be used when tabulating the national vote count? In North Dakota, we heard different things in their hearing on NPV. Can popular votes from some states be excluded from the national vote count? In Committee, we learned that one state can challenge another state's election process. This will most certainly happen if we go to National Popular Vote. It would cause more problems, more division, less healing and more distrust in our system.

So, at the very least, we should be honest about what this is. It's an end run around the Constitution and what our Founders and Framers sought and fought for and deliberated. So, at least be honest about it and go for a Constitutional Amendment, change how we elect the President, but don't do it this way. Thank you, Madam Speaker.

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

Representative **BELL**: Thank you, Madam Speaker. I want to join my Colleague from Bangor and celebrate today being Primary Day. And I got up early this morning and drove to the local high school and cast my vote for my candidate for President of the United States, and it felt good to be having that feeling of voting, my vote counting just as much as everyone else's vote. The people in the states; the so-called battleground states; the states that are really even in terms of the two different parties. Those are the states that are getting all the attention and, as we all know, the last X number of election cycles, we sit up late at night watching the results come in and it's those half a dozen states, those battleground states, are the ones that are determining who is going to be the next President of the United States. And that doesn't feel good. So, I like the idea of my vote counting just as much as somebody in Ohio and Pennsylvania or Georgia. My vote's going to count just as much as theirs. So, that's the reason for voting for this National Popular Vote, so that every vote counts the same and that all of us can feel good about our vote the next morning. So, thank you.

The SPEAKER: The Chair recognizes the Representative from New Gloucester, Representative Arata.

Representative **ARATA**: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, we all have at least one thing in common, and that is that we were all elected to represent the people of Maine. Not Massachusetts, not New York, not California, not the Democratic Party and not the Republican Party. We represent Maine and Maine only. It would be poor representation to squander the disproportional attention that presidential candidates give to Maine because of the Electoral College. Maine comprises just 0.4% of the U.S. population, yet we've

been visited many times over the years by candidates from both parties, including Nikki Haley just the day before yesterday.

The organization Fair Vote analyzed campaign visits and spending in all 50 states, adjusted them for population, and they found that Maine ranked 12th in the nation for peak season presidential campaign attention. Why on earth would we want to give up this advantage for Maine? Adopting a National Popular Vote scheme would cause court fights and further division and acrimony in our already divided State and nation. The Congressional Research Service, within the Library of Congress, examined its constitutionality and determined that it would become a source of considerable litigation. That's the very last thing we need right now.

Madam Speaker, I urge you to oppose this motion and allow Mainers to choose a president based on the unique needs of Maine, because Maine is the only State that we were elected to represent. Thank you, Madam Speaker.

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

Representative **CYRWAY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'm in opposition to LD 1578. You know, growing up through the years, I can remember some really important people and the saying went for Maine is so goes Maine, so goes the nation. And that was a really outstanding phrase. If we vote for this National Popular Vote, you will never hear that phrase again.

We had some very good outstanding individuals that have shined because of the system that we have currently today. We have an outstanding system. In fact, we should be the model for the United States. Margaret Chase Smith, the very first lady, a wonderful lady, she did outstanding things for Maine. Ed Muskie ran for President and he was outstanding and he did some really environmentally important things. He would not have had a chance if we go to the National Popular Vote. We had George Mitchell, a wonderful man. I've known Ed Muskie, I've known George Mitchell, I've known Mike Michaud, Bill Cohen. We've got some wonderful people that I'm so proud of Maine. Why on Earth would somebody even want to go vote if they say well, what's the sense of me voting, Portland, Oregon or New York or California is going to outvote us, anyway, and we won't have a chance if we go to this bill and vote for it. We are giving up our chance to be that voice.

Maine is different than any other state, and I'm proud to be in this State. I don't want the same rules in Maine as California. I don't want the same rules as it is in New Hampshire. I love New Hampshire, it's a nice place to go, but I love Maine. Maine is different. We have different traditions, we have different history, we have a variety of reasons why we vote the way we do. I think it's wonderful that when you listen to the news and you're waiting to hear how many electoral colleges, because they say boy, you know, Maine could swing this vote. That says we have some power. But with the numbers, if you're a mathematician at all or even just was good at math, you could actually figure this out that we're not going to have hardly any voice if we go to this National Popular Vote. Whereas we make a difference. If you think about it, the nation is almost divided right in half, 50/50. So, when we are that little State that has that number that can actually turn things over, that's where we become strong.

The people that voted for all of us as Representatives, Senators, they trust us and they want us to help them to stay strong in Maine. By voting for this, we are taking one notch right out of that. Maine is one of those states where we are a solid group of people that can set the stage for how we are going to

be strong. Let's not lose that. And thank you, Madam Speaker. I appreciate your time.

The SPEAKER: The Chair recognizes the Representative from Oakland, Representative Nutting.

Representative **NUTTING**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, I rise and I may have a couple of new things to say, but I rise mainly because this is the third time I've risen in this Chamber to talk against the National Popular Vote. In the 123rd Legislature, this Chamber defeated the National Popular Vote. In the 124th Legislature, it did the same. In the 126th, it did it again. In the 128th, in the 129th, it did it twice more. I was here for two of those occasions, and I'm speaking today so that I can have been allowed to speak three times on one issue without asking permission of the Chair.

In the 126th Legislature, on April the 3rd, 2014, I gave a floor speech and I retrieved that floor speech and I'm not going to repeat the whole thing but I'm going to read part of a paragraph that lays out the three problems that I believe the National Popular Vote presents us with, or three problems or three dangers, as I called them then.

First, there are the lawsuits. There certainly will be lawsuits, because every state has a different set of criteria on who can vote. Do you have early voting? Do you have absentee voting? Can felons vote? Can inmates vote? If you look across the country, different rules for different folks. That's going to be a problem. There will be lawsuits eventually. Secondly, if there is a problem, like in 2000 in Florida, the problem was concentrated in the State of Florida because the other states had registered their electoral votes and the discrepancy in the vote and the hanging chads, if some of you remember, was located in Florida. In Florida, they dealt with that issue. If we had had the National Popular Vote, if there were no Electoral College, where would you begin to look? Might you not look anywhere else except Florida? Might you want to look everywhere? Do you think both political parties wouldn't look everywhere and have lawsuits in dozens of states to try to find maybe 20,000, maybe 50,000 votes? If you don't localize the problem, the problem is everywhere. And finally, when we have an Electoral College as set up by the Founders, we get a President that for the most part; for the most part, has broad appeal over a broad geographic area at any given time. Even the President with the worst of all numbers generally is close to 40% approved.

Let's fast-forward and look at what it would be like if we had no Electoral College, if we were more like a country like France, for instance, where there might be a dozen or 15 candidates for the presidency. If that were true; and there would be no shortage because there's no minimum, there's no threshold. So, if you had a dozen candidates, somebody would win and perhaps have 10, 15% of the vote. As a result of that, don't you think that there would be an unraveling of states, how the northern states wouldn't like the guy from the south or the people from the east coast wouldn't like the California candidate who won with 12% of the vote? So, this is a bad idea for the State of Maine for all the reasons you've heard. It's a bad idea for any small state. And it's a disastrous move for the federal government and the United States of America. I urge you to vote against the current motion. Thank you, Madam Speaker.

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

Representative **LIBBY**: Thank you, Madam Speaker. Madam Speaker, several folks have referenced that today is Election Day, and I can't be the only one who appreciates the irony that we're voting about taking away Maine peoples' voice

on the day that they are busy making their voice heard in the polling place.

The Representative from Bangor says that she has faith that the people can decide. Yet we're voting on a bill that says actually, people can't decide, they're not capable of it, and we should allow the big metropolitan areas to decide for them, instead. The Representative from Yarmouth says that it doesn't feel good to have to wait for results. You know what doesn't feel good, Madam Speaker? Maine people in rural areas having their voice taken away from them. That doesn't feel good. I'm okay with a wait.

There's a phenomenon that we see over and over again in this Chamber and in this Legislature, Madam Speaker. We see the larger populated areas of Maine and their representation legislating for the rural areas of this State, dictating that what they want is better for the people of Maine, regardless of the will of the people. There's nothing more here. This is the Legislature voting on giving up the benefit of the split-vote system that we currently have where rural Mainers get to have their voices heard. Maine people deserve to have their voices heard in our current Electoral College system, but it has become a pattern where this Legislature seeks to silence Maine citizens because the tyrannical majority does not agree with them. Case in point, used as an illustration; LD 227, a bill coming up with a public hearing this afternoon, a 21-page amendment sprung on the people of Maine quietly under cover of darkness via email, still not available --

Representative **ROBERTS**: Point of Order.

The SPEAKER: The Member will defer. The Chair recognizes the Representative from South Berwick, Representative Roberts.

Representative **ROBERTS**: Thank you, Madam Speaker. A Point of Order, the Member's comments are not germane to the motion at hand and the bill.

On **POINT OF ORDER**, Representative ROBERTS of South Berwick asked the Chair if the remarks of Representative LIBBY of Auburn were germane to the pending question.

The SPEAKER: Just to remind all Members to limit their comments to the item that is before us.

The Chair reminded all Members to stay as close as possible to the pending question.

The SPEAKER: The Representative may proceed.

Representative **LIBBY**: Thank you, Madam Speaker. I am confident that most in this Body can understand and appreciate an analogy, and so, I would say that as I appreciate Maine people being informed, Maine people being able to make their voices heard with transparency on all issues, including bills that are being heard in public hearings in this Legislature, I would like to share the voices of several Maine people on this issue.

By joining the National Popular Vote Compact, Maine would give up the beneficial split-vote system for one that rewards large U.S. metropolitan areas, none of which are located in Maine, instead of Maine voters. Its adoption in Maine would result in hundreds of thousands of Mainers losing their voice in presidential elections. There is no doubt that using popular vote for President would greatly diminish the albeit small clout that Maine currently holds in these contests. Madam Speaker, this is no surprise, as no doubt that is the very intention of this legislation. After all, our Constitution's system of an Electoral College is an excellent compromise, balancing the will of the people and the protection of the rights of those in the minority. And I would remind this Body, once again, as I did very recently, that our core responsibility is to protect the rights of the people, not to legislate our will upon them. It safeguards us from tyranny, prevents political corruption by ensuring electors are

not from, as Hamilton puts it, a pre-established body and preserves federalism and the rights of the minority.

Some would say that we must progress from old ways, but it was the founding fathers who looked to history, as we all should look to history, to see how a pure democracy and majoritarian rule would not protect the rights of the minority. The Founders understood and wanted to avoid the various kinds of tyrannies, the autocracy of power in the hands of the few, and the mob rule of the majority, in a direct democracy where the rights of the minority can be trampled. The National Popular Vote, regardless of its advocates' intentions, Madam Speaker, removes these protections. Daniel Webster aptly said, there are men in all ages who mean to govern well, but they mean to govern. They promise to be good masters, but they mean to be masters.

A constituent of mine says that; I believe this act will take away my right to elect the President of the U.S. and also change what the Founding Fathers put in place to guard from corruption. Another Maine person making their voice heard; I do not support losing my voice in electing the President of the United States.

Madam Speaker, just because people don't like who rural Maine votes for, does not justify silencing that population. Mainers are tired of the tyranny of the majority, they're tired of Portland legislating what is best for them. I will remind this Body that it is 2024 and every two years, the people of Maine get to make their voices heard, not just in March at the presidential primary, but also in November, and I look forward to reminding Maine people who wants to grow their voice and who wants to silence it. Thank you, Madam Speaker.

The SPEAKER: The Chair is just going to briefly remind Members to not question the motives of other Members or impugn their character.

The Chair reminded all Members that it was inappropriate to question the motives of other Members of the House.

The SPEAKER: The Chair recognizes the Representative from Turner, Representative Morris.

Representative **MORRIS**: Thank you, Madam Speaker. I also rise in opposition to the pending motion. As has already been said here today, this bill calls into question serious constitutional questions. It violates the intent of our Constitution in recognizing the importance and the sovereignty of our states. As had been said, Maine gets two United States Senators and a recognition in the Electoral College of four votes. In *Federalist 10*, James Madison wrote about faction and the nature of faction and that faction is inevitable, that it is very difficult to guard against and the best way to deal with faction is to limit it to a specific time and place.

This bill would give our votes and our voice in Maine and rural parts of the country to factions in places like New York City, Chicago, Illinois and Los Angeles, California. Rather than the concerns that we have in Maine that we would like addressed with the federal government, presidential candidates and presidents, would instead focus on the needs of large cities and ignore the voices and the concerns of smaller states. And let's not forget, too, as we look at our history, that in 1860, there were many states that did not choose to put Abraham Lincoln on the ballot because they disagreed with his positions and with the Republican party at that time. Could this, if this were to pass, could there be situations; because it would still be states that are governing the elections, where they could refuse to place certain presidential candidates on the ballot because of their disagreement with their positions, thus stacking the deck in favor of one party or the other? It also could create a situation where there would be this retaliation among other states.

I don't think this would be good for our republic, I don't think this would be good for the people of Maine or good for the people of our country, and for this reason, I would encourage this Body to reject this motion and let's let the factions in New York choose the president for New York, only. Thank you.

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

Representative **CARLOW**: Thank you, Madam Speaker. Madam Speaker, American life and democracy look and are different than they were in 1787. And as we grow up as a nation, it is not only right and fair that we contemplate the aspirations of our institutions, but it's also imperative to our continued prosperity and our survival as a free people. The membership of the House spans many generations, but the nation to which we all belong is still coming of age. And much like the greener years of our life, our civilization, too, stands at the altar of an uncertain future. And as we learn more about ourselves, the American Experiment persists precisely the way the Framers intended.

So, I have not come to the Floor today to malign the proposition now pending, but I would be remiss not to point out how uniquely and impressively American this question truly is, and in doing that, I hope to underscore a much larger point, which is that in casting this vote, we better be certain. The method of choosing the President was not an accident or a coincidence. It was designed and predicated upon ideals that are no less relevant today than they were 237 years ago. The ideal that a majority is not an omnipotent force in the American praxis, that there are minorities deserving our protection is what distinguish us from European nobility at the time of the founding and which distinguish us from the autocrats of the modern era. And the people the Framers sought to protect weren't called Republicans and Democrats, they are the remote and rural lands of this continent whose voices are too often overlooked. They are the farmers of my district, the loggers of northern and western Maine and fishermen from Kittery to Stonington. They are the people of Maine. And this bill tells them not to bother showing up on Election Day because our votes will go to who Texas tells us to, to who California tells us to and Virginia and Pennsylvania and New York. Talk about the two Maines, we're talking about dividing the whole country.

But it's not only what the bill does, but how it does it that could fracture the fabric of the whole Union. The chief complaint of the National Popular Vote campaign is that the Electoral College denies the people their say. Yet, ironically, they do not propose amending the Constitution to abolish it, because they know they do not have the popular support to do so. Instead, a syndicate of mostly large states circumnavigated the Constitution's intent and now propose that we join them in the misadventure. And if we resolve today to forfeit our electoral votes, it will be done in the name of the so-called; so-called national interest. Some of my colleagues say there is a moral imperative here at play, but if that's truly the case, the compact should go into effect straight away, not at some unspecified future date when the total sum of the signatories' electoral votes are enough to elect the President.

Madam Speaker, it's clear to me these big states don't want to give up their votes until we do, and it begs the question; why should we? Should we also forfeit our representation in the United States Senate, which itself is the only body in American government intended to weigh the interests of states and encourage long-term stability? Of course, we shouldn't. Why would we? The Framers understood that if this nation is to endure and prosper, then the underdog should be given a fair chance and a fair shot in electing the President of the United

States. For these reasons, I will vote in opposition to this bill. Thank you, Madam Speaker.

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

Representative **RIELLY**: Thank you, Madam Speaker. So, today we've heard a lot about concerns about rural voters would be at a disadvantage under a popular vote. And I hear those concerns, but I just don't think that's going to be the case.

First, the voters with power today aren't urban or rural. They live in battleground states, which, at max, is about 30% of the electorate. They're in Michigan, they're in Georgia, but they're just in a small fraction. And also, America's big cities aren't as big as we think. With as large of a country that we have, there's only 10 cities that have a population of over a million. And the hundred largest cities are only home to about 19% of the country, while rural America makes up about like 20%. It's about even. I mean, think about campaigning here in Maine. If you're going to run for Senate, if you're going to run for Governor and you only talk to voters in Portland or Bangor, I mean, best of luck to you, but you're going to lose. You're just not going to be able to win. I mean, in the 2016 presidential race, Trump won Pennsylvania without winning Philadelphia or Pittsburgh, even though those represent about half the population of that state. I mean, he won the rural parts of that state pretty handily.

I think under the popular vote, I think the margins become everywhere. I think it gets and it forces both of our parties, it forces candidates, it forces everybody to be able to talk to voters everywhere. Go into those rural communities, go into like the urban communities, but that's one thing that I think the beauty that I see about the popular vote is that I think it gets people to take other people more seriously. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Fort Kent, Representative Theriault.

Representative **THERIAULT**: Thank you, Madam Speaker, Members of the House. I rise in opposition to this motion because I feel like it's important for us to realize, especially those that live in rural areas, that we need to defend those voices. What we see today is we see two Maines, and we're increasingly seeing two types of Americas as well. I feel like there's an active, say, agenda, or an active movement towards ignoring the needs and the voice of rural America. And while I don't question the motives of those that are pushing for this Compact, I do have to say that the Electoral College was developed as a compromise, recognizing that folks in rural America also needed a voice. And for me, it's important, in this day and age, to recognize that we don't want presidents just campaigning in California and New York and these big states. So, I disagree with the Representative from Westbrook. Most people realize that, as the Representative from Poland said, Maine has double the voice under our current system. If we go to this Compact, we will essentially not have that same voice. While we do have a vote, the Electoral College and our current system allows us to make sure that our voice is heard at a larger level. So, I would encourage my colleagues to oppose this motion.

The SPEAKER: The Chair recognizes the Representative from Windham, Representative Pringle.

Representative **PRINGLE**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of the pending motion and I will note that it took me a while to get here. I've been very much a supporter of ranked choice voting because I was taught in my Civics lessons growing up that our republic was one that created majority rule and minority rights. And I've always been distraught when we elected people

through a plurality, whereas ranked choice voting enables us to get to a majority.

The other thing in the history everybody's talking about, the compromises, but the compromise was the Senate and the House, with small states getting rather powerful votes in the Congress by giving 1.3 million people two senatorial votes, equal to that of the 19 million in New York or the 39 million in California only have two senatorial votes. So, my perspective looks at what's been said in a different viewpoint.

The other thing I learned, too, and it's been mentioned by others about the money spent, but my impression is Maine is a flyover State; although it's hard to imagine how you fly over us to get to another state; but the dollars that are spent are spent on the Electoral College where you can gather a win with the Electoral College even if you don't get the majority of votes. The fact that our country has elected presidents, I believe it's five times now, maybe six, where the majority did not win the presidency. And I, one time, voted for a president who won even though he didn't get the majority and, in some ways, I feel guilty because I've often been in the minority, but I accepted the fact that the majority wanted a different outcome.

So, my understanding from this Compact is that it's really states agreeing that we will make sure that whoever wins the majority vote in this country is elected President. I will also add one brief little bit of history on the Electoral College. My understanding is that came out, many of the Founding Fathers had been officers in the Revolutionary War and it was actually more of a view of leadership, having a better rule than the militia. And some people viewed it, actually, the Electoral College, as being oh, no, that's going back to royalty, and they opposed it. So, my understanding is the Electoral College was to give the electors who knew better rather than the common person. I view the National Popular Vote as giving all of us majority rule when it comes to electing a president. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Fryeburg, Representative Ness.

Representative **NESS**: Thank you, Madam Speaker. I will attempt to make my remarks brief. But I'd just like to bring up to this House that we have a republic that's built on balance. And the balance, as has been referred to many times today, was one that was long thought over in the summer of 1787 and the Constitutional Convention. And the Electoral College was built on that balance. It was a balance between two forms of government that were proposed during that convention; one being that of the Virginia Plan, which was built on having the large states based on population being able to run the country. And then there was the contradictory plan of the New Jersey Plan, which made it so each state was equally represented in the government. The compromise was is that we have a twofold government and have it be that the states are represented on their own in the Senate and that the population is represented on their own in the House and that, together, they would bring the balance of government. The Electoral College also follows that plan by adding up the total number of Representatives in the House and the Senators, to come out with the Electoral College number for each state. And by that, it gives each state at least a baseline voice because of the votes in the Senate. Because of that type of balance, a state like Maine does have four electoral votes even though we are a very, very small portion of the national population.

I just want to bring to peoples' remembrance, I being a student of history, you may remember the election; I don't, personally; but you may remember the election of 1984, which was Walter Mondale versus Ronald Reagan. And if you look at the electoral map of the country from 1984, it is completely red

for Ronald Reagan with the exception of Washington, D.C. and Minnesota, Mr. Mondale's home state. The reason I bring this up is; if this bill were to pass and Maine happened to be Minnesota in that case, how would we feel? We were the only state that voted for the other candidate and yet, our voice is thrown away because the rest of the country went for the opposition. That's what this bill would do, and I find that very, very disturbing.

Maine already does a very good job with its electoral votes because it actually does what I feel most states should do and it splits them according to what the vote is in the state, us and Nebraska being the only two that do that. And that, I believe, is a truly representative form of what the people think. Now, most states do not do that, which I think should be looked at, but Maine has been in the right spot on this position for a very long time, and I do not think that we should take what we have and throw it away to be decided by the larger states and the larger cities in this country.

And here's a thought from the Representative from Yarmouth brought up a thought. He mentioned that he wants his vote to count, and I agree. I think everyone in this Chamber wants their vote and their constituents' vote to count in the election. But under this bill, your vote will only count if it is the majority of the country. This entire State could vote one way, but if the other 49 states voted a different way, our voice would be thrown away. That, I find incredibly disturbing and what makes a state a battleground state? I've heard this mentioned several times today. A battleground state is simply a state that has a lot of voters that still haven't decided. Maine traditionally, from what I've heard, has always been considered a battleground state because it can go either way. And because we do split our votes, it does give an incentive to win those votes. So, I would just encourage the Body to consider this and please vote down the pending motion. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Calais, Representative Perry.

Representative **PERRY**: Thank you, Madam Speaker. I look at this as a bill about equity. I grew up in Maine but for 18 years, I lived in rural New York State. My vote, if you look at it electorally, was worth less than what I get in Maine. And why should I, as a rural resident of upstate New York, have less of a say than I do in Maine?

The other thing I look at is that, when all of this negotiating was going on to get the Electoral College, the discussion was about slavery. Who was not included? Women, slaves and the poor, because of poll taxes. The only people that were trusted to vote were those in wealth and in leadership. We have changed over the years and it took a lot of years to get people to vote, women to vote, Blacks to vote and they did away with the poll tax so the poor could vote. This is about equity, this is about having my vote when I was in upstate New York, in rural New York, have that same weight as every other rural resident in this country. Thank you.

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

Representative **DUCHARME**: Thank you, Madam Speaker. A couple of weeks ago, or a week ago, we had a similar situation where the Minority Report was run and I rose to say, regardless of how you feel about the particular issue, it makes no sense. We are a representative republic, each one of us represents about 9,000 people. When Committees are made here, Committees are laid out on this particular Committee, the majority has eight members, the minority has five members, and yet, the Majority Report coming out of this Committee is not

being put forth in this Chamber. Again, Madam Speaker, I say this makes no sense. It's just a travesty of the Committee process. Thank you.

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

Representative **QUINT**: Thank you, Madam Speaker. I believe that Representative Ness; I'm sorry, I can't remember the town that he's from at this moment; but made a very eloquent speech on behalf of all rural communities. I represent a rural community; I have 47 towns in my district. And so, when you look at that, compared to a larger city like Portland who has many Representatives from their district, there is a bit of an imbalance as far as the weighting, at least that's how people in the rural areas feel. They feel that Portland has more of a voice. But that's my job here is to be their voice and make sure that it's heard. And in responding to the Good Representative from Calais, I'm not here to represent anyone from rural New York, I am here to represent people from rural Maine, and that is whose voice is asking to be heard with this. I ask that you vote down this motion. Thank you.

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

ROLL CALL NO. 392

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

ABSENT - Bradstreet, Galletta, Gramlich, Haggan, Jackson, Lanigan, Lavigne, Milliken, Rudnicki.

Yes, 74; No, 67; Absent, 9; Vacant, 1; Excused, 0.

74 having voted in the affirmative and 67 voted in the negative, 1 vacancy with 9 being absent, and accordingly Report "B" Ought to Pass as Amended was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-792)** 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-792)** and sent for concurrence.

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

CONSENT CALENDAR

First Day

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

(S.P. 858) (L.D. 2030) Bill "An Act to Exempt Certain Emergency Activities and Structure Elevation Increases in Flood Zones from Permit Requirements Under the Natural Resources Protection Act" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-547)**

(S.P. 923) (L.D. 2171) Bill "An Act Establishing Concurrent Jurisdiction with the Federal Courts in Certain Juvenile Matters" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-549)**

(H.P. 1322) (L.D. 2060) Bill "An Act to Amend Licensing Requirements for Landscape Architects" (EMERGENCY) Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass**

(H.P. 161) (L.D. 240) Bill "An Act to Increase Public Access to Utilities" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-798)**

(H.P. 167) (L.D. 262) Bill "An Act to Strengthen Maine's Workforce" Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-796)**

(H.P. 211) (L.D. 337) Bill "An Act to Amend the Regulations of Manufactured Housing to Increase Affordable Housing" Joint Select Committee on **HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-791)**

(H.P. 522) (L.D. 833) Bill "An Act to Prohibit Persons Who Donate to a Governor's Transition Committee and Inaugural Committee from Registering as Lobbyists" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-794)**

(H.P. 903) (L.D. 1407) Bill "An Act to Amend the Maine Insurance Code Regarding Payments by Health Insurance Carriers to Providers" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-790)**

(H.P. 1071) (L.D. 1673) Bill "An Act to Encourage Affordable Housing and Mixed-use Development by Establishing a Thriving Corridors Program" Joint Select Committee on **HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-787)**

(H.P. 1150) (L.D. 1787) Resolve, Directing the Department of Agriculture, Conservation and Forestry to Convene a Stakeholder Group Tasked with a Comprehensive Overhaul and Modernization of the State Subdivision Statutes Joint Select Committee on **HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-786)**

(H.P. 1326) (L.D. 2064) Bill "An Act to Amend the Laws Regarding Certain Advisory Councils and Boards Related to the Department of Marine Resources" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-801)**

(H.P. 1416) (L.D. 2209) Bill "An Act to Increase the Cap on Bonds Issued by the Maine State Housing Authority to Reflect Current Housing Production Needs in the State" Joint Select Committee on **HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-788)**

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.

(H.P. 1258) (L.D. 1956) Bill "An Act to Amend the Laws Governing Optometrists" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-799)**

On motion of Representative PERRY of Calais, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

On further motion of the same Representative, **TABLED** pending **ACCEPTANCE** of the Committee Report and later today assigned.

ENACTORS

Emergency Measure

An Act to Continue the Arrearage Management Program for Low-income Residential Electricity Customers

(H.P. 1330) (L.D. 2067)

(C. "A" H-764)

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 4 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Provide for the 2024 and 2025 Allocations of the State Ceiling on Private Activity Bonds

(S.P. 916) (L.D. 2160)

(C. "A" S-543)

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. 107 voted in favor of the same and 8 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, to Rename the Interstate 295 Interchange in the Town of Freeport the Matthew MacMillan Bridge

(S.P. 924) (L.D. 2173)

(C. "A" S-538)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 112 voted in favor of the same and 2 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, Regarding Legislative Review of Portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive Rule of the Department of Education, State Board of Education

(H.P. 1396) (L.D. 2181)

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. 107 voted in favor of the same and 6 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

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

(S.P. 61) (L.D. 122)
(C. "A" S-541)

An Act to Permit Municipalities to Establish by Ordinance a Program for Partial Deferral of Property Taxes for Seniors

(H.P. 859) (L.D. 1345)
(C. "A" H-767)

An Act to Establish a Special Retirement Plan for Department of Corrections Employees and Other Correctional Staff

(H.P. 920) (L.D. 1424)
(C. "A" H-769)

An Act Directing the Department of Transportation to Adopt Rules Regarding Corrosion Mitigation Methods for Steel Bridges

(S.P. 657) (L.D. 1640)
(C. "A" S-546)

An Act to Strengthen the Teaching of Wabanaki Studies in Maine Schools

(H.P. 1052) (L.D. 1642)
(C. "A" H-772)

An Act to Increase Penalties for Violations of the Law Governing Monopolies and Profiteering

(H.P. 1161) (L.D. 1815)
(C. "A" H-771)

An Act to Amend the Laws Regarding State-chartered Credit Unions

(S.P. 783) (L.D. 1921)
(C. "A" S-542)

An Act to Authorize Medical Waivers for Menhaden Fishing Licenses

(S.P. 854) (L.D. 2026)
(C. "A" S-545)

An Act to Increase Safety for Child Welfare Services Workers

(H.P. 1311) (L.D. 2049)

An Act to Amend the Laws Governing Real Estate Appraisers and Appraisal Management Companies

(H.P. 1324) (L.D. 2062)
(C. "A" H-770)

An Act to Provide Funding for Essential Services for Victims of Crimes

(S.P. 877) (L.D. 2084)
(C. "A" S-539)

An Act to Add Schedule V Substances to the Controlled Substances Prescription Monitoring Program

(H.P. 1363) (L.D. 2139)

An Act to Correct Outdated References in and Relating to the Maine Human Rights Act

(H.P. 1366) (L.D. 2142)
(C. "A" H-765)

An Act to Clarify MaineCare Copayments

(H.P. 1377) (L.D. 2153)

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, to Authorize the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

(S.P. 852) (L.D. 2024)
(C. "A" S-540)

Resolve, to Adopt Conceptual Elements of the 2023 Augusta State Facilities Master Plan

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

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 Restrict Noncompete Clauses

(H.P. 951) (L.D. 1496)
(C. "A" H-768)

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

On motion of Representative ROEDER of Bangor, was **SET ASIDE**.

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

SENATE PAPERS

The following Joint Resolution: (S.P. 962)

JOINT RESOLUTION DESIGNATING MAY 5, 2024 TO MAY 11, 2024 AS TARDIVE DYSKINESIA AWARENESS WEEK

WHEREAS, many people living with serious mental illnesses, including bipolar disorder, major depressive disorder, schizophrenia and schizoaffective disorder, or gastrointestinal disorders such as gastroparesis, upset stomach, nausea and vomiting may be treated with medications that work as dopamine receptor blocking agents, including antipsychotics and antiemetics; and

WHEREAS, while ongoing treatment with these medications can be necessary, prolonged use is associated with tardive dyskinesia, an involuntary movement disorder that is characterized by uncontrollable, abnormal and repetitive movements of the face, torso, limbs and fingers or toes; and

WHEREAS, it is important that people taking these medications be monitored for tardive dyskinesia by a health care provider. Regular screening for tardive dyskinesia is recommended by the American Psychiatric Association; and

WHEREAS, even mild symptoms of tardive dyskinesia can impact people physically, socially and emotionally; and

WHEREAS, it is estimated that tardive dyskinesia affects approximately 600,000 people in the United States, and approximately 65% of people with tardive dyskinesia have not been diagnosed, making it important to raise awareness about the symptoms; and

WHEREAS, clinical research has led to approval of treatments for adults with tardive dyskinesia by the United States Food and Drug Administration, and recognition and treatment of tardive dyskinesia can make a positive impact in the lives of many people experiencing psychotic and mood disorders; 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 May 5, 2024 to May 11, 2024 as Tardive Dyskinesia Awareness Week and respectfully encourage anyone experiencing uncontrollable, abnormal and repetitive movements to consult their health care provider regarding their symptoms.

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

COMMUNICATIONS

The Following Communication: (H.C. 431)

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

March 5, 2024

Honorable Rachel Talbot Ross
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear Speaker Talbot Ross:

Pursuant to Joint Rule 310, the Committee on Veterans and Legal Affairs has approved the request by the sponsor, Senator Timberlake of Androscoggin, to report the following "Leave to Withdraw:"

L.D. 192 An Act Concerning the Future of Clean Election Funding

Pursuant to Joint Rule 310, the Committee on Veterans and Legal Affairs has approved the request by the sponsor, Senator Hickman of Kennebec, to report the following "Leave to Withdraw:"

L.D. 246 An Act to Amend the Campaign Finance Laws
Pursuant to Joint Rule 310, the Committee on Veterans and Legal Affairs has approved the request by the sponsor, Senator Hickman of Kennebec, to report the following "Leave to Withdraw:"

L.D. 248 An Act to Amend the State's Liquor Laws

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

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

The Following Communication: (H.C. 432)

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

March 5, 2024

Honorable Rachel Talbot Ross
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear Speaker Talbot Ross:

Pursuant to Joint Rule 310, the following Joint Standing Committees have voted unanimously to report the following bills out "Ought Not to Pass: "

Education and Cultural Affairs

L.D. 2107 An Act Regarding Department of Education Reliance on Criminal Background Checks Required by the Department of Health and Human Services

L.D. 2170 An Act to Prioritize School Construction Projects for Schools Affected by Disasters
Energy, Utilities and Technology

L.D. 2206 An Act Regarding Incentives for Heat Pumps and Other Weatherization Products and Services

Health and Human Services

L.D. 353 An Act Concerning Substance Use Disorder, Treatment, Recovery, Prevention and Education

L.D. 2128 An Act Regarding Nonemergency Transportation for MaineCare Members (EMERGENCY)

Inland Fisheries and Wildlife

L.D. 629 An Act to Improve, Protect and Defend the Individual Civil Right to Bear Arms Through Exemption of Firearms and Ammunition from Taxation

L.D. 2194 An Act to Clarify When a Wounded Game Animal May Be Dispatched by an Authorized Licensed Guide

Judiciary

L.D. 2195 An Act to Protect Businesses from Fraudulent or Predatory Financial Settlements by Allowing Those Businesses Opportunities to Remove Architectural Barriers in Noncompliance with the Maine Human Rights Act

Taxation

L.D. 643 An Act to Promote Research and Development in the State by Increasing the Research Expense Tax Credit

L.D. 1222 An Act to Expand Child Care Services Through an Employer-supported Tax Credit

L.D. 2111 An Act Regarding the Timeline for Property Tax Abatement Based on Hardship or Poverty

Veterans and Legal Affairs

L.D. 1530 An Act to Support Patients by Permitting On-site Consumption of Medical Cannabis and Medical Cannabis Products

L.D. 1757 An Act to Amend the Laws Governing the Reporting and Tracking of Adult Use Cannabis

L.D. 1952 An Act to Allow On-site Cannabis Consumption

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

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

The Following Communication: (H.C. 433)

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

March 5, 2024

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

Please be advised that pursuant to her authority, Governor Janet T. Mills has nominated the following:

on February 29, 2024

Nathan Burnett of Hiram and Kirk Duplessis of Gardiner for appointment and Brian H. Noyes of South Freeport for reappointment to the Board of Trustees of the Maine Public Employees Retirement System.

Pursuant to Title 5 M.R.S.A. §17102, these appointments and reappointment are contingent on confirmation by the Maine State Senate after review by the Joint Standing Committee on Labor and Housing.

Sheila G. Mayberry of Falmouth as the Neutral Chair and Rebekah J. Smith, Esquire of Union and Shari Broder of Freeport as Neutral, Alternate Chairs for reappointment to the Maine Labor Relations Board.

Pursuant to Title 26, MRSA §968, these reappointments are contingent on confirmation by the Maine State Senate after review by the Joint Standing Committee on Labor and Housing.
on March 4, 2024

Andrew T. Mueller of Cumberland for appointment to the Finance Authority of Maine.

Pursuant to Title 10, MRSA §965, this appointment is contingent on confirmation by the Maine State Senate after review by the Joint Standing Committee on Innovation, Development, Economic Advancement and Business.

Laura S. Burden of Portland and Lee Jay Feldman of Lisbon for reappointment to the Maine Redevelopment Land Bank Authority.

Pursuant to 30-A MRSA §5155, these reappointments are contingent on confirmation by the Maine State Senate after review by the Joint Standing Committee on Innovation, Development, Economic Advancement and Business.

Sincerely,

S/Rachel Talbot Ross

Speaker of the House

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

The Following Communication: (H.C. 434)

**MAINE STATE LEGISLATURE
GOVERNMENT OVERSIGHT COMMITTEE**

March 1, 2024

Darek M. Grant, Secretary of the Senate

Maine State Legislature

3 State House Station

Augusta, Maine 04333

Robert B. Hunt, Clerk of the House of Representatives

Maine State Legislature

2 State House Station

Augusta, Maine 04333

Dear Secretary Grant and Clerk Hunt,

We respectfully offer this letter for inclusion in the Calendars of the Maine Senate and the Maine House, on behalf of all of our colleagues on the Committee on Government Oversight of the 131st Maine Legislature. The Committee recently adopted the following report: "Frontline Perspectives in Child Protection as Catalysts for Reform" (February 2024), which may be found online at the following link:

<https://legislature.maine.gov/committee/#Committees/GOC>.

This report was developed following committee work sessions held since November 2023. An Executive Summary may be found on page 5 of the report. We wish to emphasize that most of our recommendations received unanimous or nearly unanimous support among our Committee members, and we were greatly informed by those on the frontlines who were able to share with us their real-world experiences and vital perspectives. We will also be providing the full report to Members of the Maine Legislature and other interested parties today, directly, via electronic mail, followed by bound and printed hard copies at the earliest opportunity.

Thank you for your kind consideration of this matter.

Very truly yours,

S/ Craig V. Hickman

Senate Chair

S/ Jessica L. Fay

House Chair

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

The Following Communication: (S.C. 963)

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

February 29, 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 Environment and Natural Resources:

- The Honorable Robert S. Duchesne of Old Town for reappointment, to the Board of Environmental Protection,
- Steven K. Pelletier of Topsham for reappointment to the Board of Environmental Protection,
- Robert M. Sanford of Gorham for reappointment, to the Board of Environmental Protection

Upon the recommendation of the Committee on Agriculture, Conservation and Forestry:

- The Honorable Chandler Woodcock of Farmington for appointment, to the State Harness Racing Commission.

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 Establish a Minimum Value Threshold for the Class C Crime of Theft by a Repeat Offender"

(H.P. 1442) (L.D. 2246)

Sponsored by Representative SINCLAIR of Bath.

Cosponsored by Representatives: LEE of Auburn, MILLIKEN of Blue Hill, Senator: VITELLI of Sagadahoc.

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

Bill "An Act to Clarify the Minimum Sentencing Standards for a Violation of Operating Under the Influence"

(H.P. 1443) (L.D. 2247)

Sponsored by Representative SINCLAIR of Bath.

Cosponsored by Representative: GREENWOOD of Wales.

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

Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** suggested and ordered printed.

REFERRED to the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** and ordered printed.

Sent for concurrence.

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

the Greely High School Girls Nordic Ski Team, of Cumberland, which won the 2024 Class B State Championship. We extend our congratulations and best wishes;

(HLS 776)

Presented by Representative MORIARTY of Cumberland.

Cosponsored by Senator PIERCE of Cumberland, Representative BELL of Yarmouth.

On **OBJECTION** of Representative MORIARTY of Cumberland, was **REMOVED** from the Special Sentiment Calendar.

READ.

On further motion of the same Representative, this Expression of Legislative Sentiment and all accompanying papers were **INDEFINITELY POSTPONED**.

Recognizing:

the Greely High School Boys Indoor Track and Field Team, of Cumberland, which won the 2024 Class B State Championship. We extend our congratulations and best wishes;

(HLS 777)

Presented by Representative MORIARTY of Cumberland.

Cosponsored by Senator PIERCE of Cumberland, Representative BELL of Yarmouth.

On **OBJECTION** of Representative MORIARTY of Cumberland, was **REMOVED** from the Special Sentiment Calendar.

READ.

On further motion of the same Representative, this Expression of Legislative Sentiment and all accompanying papers were **INDEFINITELY POSTPONED**.

Recognizing:

Marcia Dietrich, of Rockport, who received the School Board Service Award from the Maine School Boards Association for her 28 years as a member of the Camden-Rockport School Board and her 25 years as a member of the Five Town Community School District School Board. We extend our congratulations and best wishes;

(HLS 778)

Presented by Representative DOUDERA of Camden.

Cosponsored by Senator BEEBE-CENTER of Knox.

On **OBJECTION** of Representative DOUDERA of Camden, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Camden, Representative Doudera.

Representative **DOUDERA**: Thank you, Madam Speaker. Madam Speaker, it's my pleasure today to honor Marcia Dietrich, a Rockport resident who exemplifies the spirit of volunteerism. As you heard, for 28 years, she's served on the Camden-Rockport School Board and for 25 years on the Five Town Community School Board, which oversees our high school, Camden Hills. Marcia is currently Vice-chair of the Camden-Rockport School Board.

I reached out to a few community members who served with Marcia just to see what they had to say. Marcia has amazing institutional knowledge, says Becky Flanagan, the Vice-chair of the Five Town Community School Board. I'm constantly impressed by her level of knowledge and her perspective. She offers food for thought and is well reasoned. What Marcia has to say makes sense.

Our superintendent of schools, Maria Libby, reached out and said Marcia's longevity on the board is unparalleled. Her experience and insight has been invaluable to our school district. She's highly respected by our community and I'm grateful as superintendent that her voice has shaped our district for the past several decades. We are as strong as we are, in part, due to her leadership.

Finally, Marcus Mrowka, Chair of the Five Town Community School Board, recalled the first time I met Marcia as a Board member, I thought, oh, man, I better not mess with her. And while she can be formidable, Marcia has been also the most welcoming, supportive and helpful Board member. She brings immense knowledge, expertise and thoughtfulness to every conversation and knows every policy, front and back. For Marcia, it's always about how we best educate our children, and she's remained committed to that mission well beyond the time her children have been in our schools. Marcia's the kind of Board member, mentor and champion for our schools that we should all want to emulate. Thank you, Madam Speaker.

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

In Memory of:

Darren C. Whitney, of Winter Harbor. Mr. Whitney, a talented contractor and carpenter, operated Rock Solid Construction for years and worked independently. He also worked the sea and the land, fishing elvers, working on fish draggers and lobster boats and digging clams for his family. Mr. Whitney will be long remembered and sadly missed by his family and friends;

(HLS 774)

Presented by Representative FAULKINGHAM of Winter Harbor. Cosponsored by Senator MOORE of Washington.

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

READ.

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

Representative **FAULKINGHAM**: Thank you, Madam Speaker. I rise for a moment to honor the memory of Darren Whitney.

In Winter Harbor, where I grew up, it's a very small town and everybody knows everybody throughout my growing up, and everybody still knows everybody, everybody probably knows too much about each other's business but we're a family in a small town like Winter Harbor. And Darren was somebody I knew, our families knew each other very well, but it wasn't until a few years ago that I had the opportunity to have Darren work on my lobster boat that I really got to know him. And he was a really kind person, intelligent, smart. It really surprised me what a great guy he was because he sort of stuck to himself. He had a small, small group, and the reason why I rise today is because for a lot of years, Darren struggled. He struggled with addiction and I felt like he felt lonely a lot of the time, he felt alone in his life, and when I showed up to his funeral Sunday, I was amazed that there were hundreds of people there. We had to pull out extra chairs, we pulled out every single chair we had in that place and it was full. And I wish he could've known how many people loved him and supported him and I just wanted to take a moment to remind everybody here and everybody that hears this that we need to demonstrate more kindness in the world.

We need to reach out to people that are alone. We need to express love and empathy for each other. If you see somebody that seems to be alone or struggling or in a bad place, step up, talk to them, be their friend, say a kind word. Let people you know love them, even people you don't agree with; even people that disagree with you on things, let them know that you love them. Those are the beliefs that I have, Madam Speaker, and sometimes I don't live up to them enough myself and I think we all fall short, but this world, especially right now, needs more love and compassion and I just wanted to stand up and honor Darren and say that. Thank you, Madam Speaker.

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

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

SENATE PAPERS

Bill "An Act to Set a Debt Limit for the Anson and Madison Water District" (EMERGENCY)

(S.P. 964) (L.D. 2242)

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

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

Resolve, Directing the Department of Health and Human Services to Amend MaineCare Rules Governing Certain Types of Behavioral and Mental Health Services and to Form a Stakeholder Group to Study Methods for Improving Those Services

(S.P. 965) (L.D. 2243)

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

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** in concurrence.

Bill "An Act to Allow the Department of Corrections to Comply with the Federal Prison Rape Elimination Act of 2003" (EMERGENCY)

(S.P. 970) (L.D. 2250)

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

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

Bill "An Act to Authorize a Stop-work Order Regarding an Activity That Is Creating a Substantial Adverse Impact to a Protected Natural Resource"

(S.P. 971) (L.D. 2253)

Came from the Senate, **REFERRED** to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** and ordered printed.

REFERRED to the Committee on **ENVIRONMENT AND NATURAL RESOURCES** in concurrence.

REPORTS OF COMMITTEE

Refer to the Committee on Innovation, Development, Economic Advancement and Business Pursuant to Resolve

Report of the **Joint Standing Committee on Innovation, Development, Economic Advancement and Business** on Bill "An Act to Implement the Recommendations of the Department of the Secretary of State, Bureau of Motor Vehicles' Motor Vehicle Dealer Display Area and Licensing Requirements Working Group"

(S.P. 966) (L.D. 2244)

Reporting that it be **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** pursuant to Resolve 2023, chapter 19, section 5.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS**.

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

The Bill was **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** in concurrence.

**Refer to the Committee on Energy, Utilities and Technology
Pursuant to Resolve**

Report of the **Joint Standing Committee on Energy, Utilities and Technology** on Bill "An Act to Clarify the Definition of 'Underground Facility' and Reduce Administrative Burdens Under the So-called Dig Safe Law"

(S.P. 967) (L.D. 2245)

Reporting that it be **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** pursuant to Resolve 2023, chapter 47, section 3.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **ENERGY, UTILITIES AND TECHNOLOGY**.

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

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

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

On motion of Representative FAULKINGHAM of Winter Harbor, the House adjourned at 12:49 p.m., until 10:00 a.m., Wednesday, March 6, 2024, in honor and lasting tribute to Darren C. Whitney of Winter Harbor and David Pratt Lincoln of Old Town.