

MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE
SECOND REGULAR SESSION
24th Legislative Day
Wednesday, March 13, 2024

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

Prayer by Honorable Mark Michael Babin, Fort Fairfield.

National Anthem by Joe Niemczura, Thorndike.

Pledge of Allegiance.

Medical Provider of the Day, Jenna Lizewski, DNP, FNP-C, York.

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

The Journal of yesterday was read and approved.

SENATE PAPERS

The following Joint Resolution: (S.P. 979)

**JOINT RESOLUTION RECOGNIZING MAY 1, 2024
AS PUREBRED DOG DAY**

WHEREAS, purebred dogs are living legacies of the cultures that created them, and historically these dogs worked alongside their people and provided them companionship; and

WHEREAS, the service of these breeds continues today as they work alongside humans while serving as guide dogs, service dogs, conservation dogs, livestock guardians, search and rescue dogs, earthdogs, police dogs and canine soldiers serving alongside our military men and women; and

WHEREAS, purebred dogs also serve as avalanche dogs, trackers, trailers, herders, controllers of vermin, water rescuers, carting and sled dogs, retrievers, protectors, hunters and bird dogs; and

WHEREAS, purebred dogs have been of enormous help to medical science, serving as models for many heritable human diseases, playing a role in humanity's understanding of the human and canine genomes and benefiting pharmaceutical research and development; and

WHEREAS, purebred dogs are guardians of family, home and hearth, and always they are companions near and dear to humans; and

WHEREAS, each purebred breed is indelibly etched in the history of the culture that created it just as surely as are that culture's music, art and language; and

WHEREAS, all dogs should be valued, whatever their ancestry, but the purpose-bred dog and the predictability of its breed should be cherished and preserved; and

WHEREAS, there is currently no day set aside to celebrate and acknowledge the contributions of the purebred dog; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize May 1, 2024 as Purebred Dog Day in celebration of purebred dogs and the many service and companion benefits they provide in Maine.

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

READ and **ADOPTED** in concurrence.

The following Joint Resolution: (S.P. 981)

**JOINT RESOLUTION DESIGNATING MARCH 10, 2024 TO
MARCH 16, 2024 AS AMERICORPS WEEK IN MAINE**

WHEREAS, service is a hallmark of the American character and has the unique ability to bring people of all backgrounds together in common cause, and throughout our history citizens have stepped up to meet our most pressing challenges of the day by volunteering in their communities; and

WHEREAS, AmeriCorps and AmeriCorps Seniors programs provide opportunities for more than 200,000 Americans to serve their country through service at nonprofits, schools, public agencies and community and faith-based groups across the country; and

WHEREAS, in the State of Maine, more than 2,700 AmeriCorps members and AmeriCorps Seniors volunteers of diverse ages and backgrounds helped to meet local needs at more than 200 locations in the State of Maine by tutoring or mentoring children and youth, supporting veterans, combatting the opioid epidemic, ensuring citizens can age in their communities, working to end hunger in Maine, supporting new Maine residents, restoring the environment, repairing the effects of adverse childhood experiences and working with communities on building resilience; and

WHEREAS, AmeriCorps members and AmeriCorps Seniors volunteers encourage collaboration and partnerships, leveraging millions of volunteers in service and acquiring the support of businesses, foundations and other local partners to increase the effectiveness of their initiatives; and

WHEREAS, AmeriCorps and AmeriCorps Seniors programs bring people together across race, age and place to address critical issues facing the country, forge relationships and cultivate mutual respect and help build resilient and thriving communities; and

WHEREAS, AmeriCorps members and AmeriCorps Seniors volunteers demonstrate commitment, dedication and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, through their service, AmeriCorps members and AmeriCorps Seniors volunteers strengthen the lives of their families and communities and the State of Maine as a whole; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages nonfederal resources to strengthen community impact and increase the return on taxpayer dollars; and

WHEREAS, AmeriCorps Week is an opportunity to recognize the dedication and commitment of the more than 1.2 million Americans who have chosen to serve their country through AmeriCorps and millions more who have served in AmeriCorps Seniors and their community partners and to encourage more Americans to follow in their footsteps in service; 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, designate March 10, 2024 to March 16, 2024 as AmeriCorps Week in Maine and urge citizens to thank AmeriCorps members and alumni and AmeriCorps Seniors volunteers for their service and to find their own ways to give back to their communities.

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

READ and **ADOPTED** in concurrence.

The following Joint Order: (S.P. 978)

ORDERED, the House concurring, that the Joint Standing Committee on Innovation, Development, Economic Advancement and Business may report out, to the Senate, a bill regarding the establishment of standards governing access to motor vehicle telematics systems as provided in Initiated Bill 2023, chapter 3, An Act Regarding Automotive Right to Repair.

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

Non-Concurrent Matter

Resolve, Regarding Legislative Review of Chapter 9: Rules Governing Administrative Civil Money Penalties for Labor Law Violations, a Major Substantive Rule of the Department of Labor, Bureau of Labor Standards (EMERGENCY)

(H.P. 1398) (L.D. 2184)

PASSED TO BE ENGROSSED in the House on March 6, 2024.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-572)** in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

Non-Concurrent Matter

Resolve, Regarding Legislative Review of Portions of Chapter 41: Special Restrictions on Pesticide Use, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control (EMERGENCY)

(H.P. 1403) (L.D. 2189)

PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-776) AND HOUSE AMENDMENT "A" (H-785) in the House on February 29, 2024.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-776)** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

Non-Concurrent Matter

Expression of Legislative Sentiment Recognizing the Maple Grove Grange #148, of Baldwin

(HLS 837)

PASSED in the House on March 7, 2024.

Came from the Senate **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

COMMUNICATIONS

The Following Communication: (H.C. 443)

STATE OF MAINE

**ONE HUNDRED AND THIRTY-FIRST LEGISLATURE
COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS**

The Honorable Troy D. Jackson
President of the Senate
The Honorable Rachel Talbot Ross
Speaker of the House
131st Legislature
State House
Augusta, ME 04333
March 11, 2024

Dear President Jackson and Speaker Talbot Ross:

Please accept this letter as the report of the findings of the Joint Standing Committee on Education and Cultural Affairs from its review and evaluation of the following agencies under the State Government Evaluation Act, Title 3, Maine Revised Statutes, chapter 35:

- Maine Arts Commission;
- Maine Historic Preservation Commission;
- Maine Historical Society;
- Maine Library Commission;
- Maine State Cultural Affairs Council;
- Maine State Library;
- Maine State Museum; and
- Maine State Museum Commission.

Pursuant to the requirements of the Act, the committee notified each agency by letter of its intent to review the agencies on May 1, 2023. Each agency submitted their reports by November 1, 2023 and were invited to present before the committee on January 31, 2024. The committee has reviewed the reports submitted by the above agencies and finds that the agencies are operating within their statutory authority.

Sincerely,

S/Sen. Joseph Rafferty

Senate Chair

S/Rep. Michael F. Brennan

House Chair

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 444)

STATE OF MAINE

**ONE HUNDRED AND THIRTY-FIRST LEGISLATURE
COMMITTEE ON TRANSPORTATION**

The Honorable Troy D. Jackson

President of the Senate

The Honorable Rachel Talbot Ross

Speaker of the House

131st Legislature

State House

Augusta, ME 04333

March 11, 2024

Dear President Jackson and Speaker Talbot Ross:

Please accept this letter as the report of the findings of the Joint Standing Committee on Transportation from its review and evaluation of the Bureau of Motor Vehicles under the State Government Evaluation Act, Title 3, Maine Revised Statutes, chapter 35.

Pursuant to the requirements of the Act, the committee notified the Bureau of Motor Vehicles by letter of its intent to review the agencies on May 15, 2023. The Bureau of Motor Vehicles submitted their report by November 1, 2023 and were invited to present before the committee on January 11, 2024.

The committee has reviewed the report submitted by the Bureau of Motor Vehicles and finds that the agency is operating within its statutory authority.

Sincerely,

S/Benjamin M. Chipman

Senate Chair

S/Lydia V. Crafts

House Chair

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 445)
STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE
AUGUSTA, MAINE 04333-0002

March 13, 2024

Honorable Robert B. Hunt

Clerk of the House

2 State House Station

Augusta, Maine 04333

Dear Clerk Hunt:

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

on March 11, 2024

Christina Bonney of Portland for appointment to the Paid Family and Medical Leave Benefits Authority.

Pursuant to Title 26 MRSA §850-O, this appointment is contingent on confirmation by the Maine State Senate after review by the Joint Standing Committee on Labor and Housing. Daniel L. Cummings of South Portland for appointment to the Finance Authority of Maine.

Pursuant to Title 10, MRSA §965, this appointment is contingent on confirmation by the Maine 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.**

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

ORDERS

On motion of Representative GRAMLICH of Old Orchard Beach, the following Joint Resolution: (H.P. 1439) (Cosponsored by Senator ROTUNDO of Androscoggin and Representatives: ARFORD of Brunswick, BRENNAN of Portland, CRAFTS of Newcastle, DHALAC of South Portland, MADIGAN of Waterville, SACHS of Freeport, Senators: INGWERSEN of York, MOORE of Washington)

JOINT RESOLUTION RECOGNIZING MARCH 2024 AS SOCIAL WORK MONTH

WHEREAS, social workers have paved the way for change by enhancing the well-being of all people, especially the most vulnerable in society; and

WHEREAS, social workers have helped lead the nation's struggle for social justice and continue to advocate for positive social change and, more than the members of any other profession, social workers recognize that more must be done to address the persistent social problems that plague the State; and

WHEREAS, social workers support diverse families in every community and understand that individuals and communities together can bring about change; and

WHEREAS, social workers advocate for the rights of the disadvantaged and oppressed; and

WHEREAS, social workers advocate for children's rights to a safe environment and a good education; and

WHEREAS, social workers advocate for lesbian, gay, bisexual, transgender and queer rights; and

WHEREAS, social workers advocate for the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income with respect to development, implementation and enforcement of environmental laws, rules and policies; and

WHEREAS, social workers work to ensure good care is provided to older adults; and

WHEREAS, social workers help provide community support for veterans and their families after their service; and

WHEREAS, social workers strive to improve access to mental health treatment and health care services in order to save lives; and

WHEREAS, social workers effect change and put the ideals of citizenship into action every day through legislative, regulatory and social policy efforts; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-first Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize March 2024 as Social Work Month; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the University of Maine, School of Social Work; the University of Maine at Presque Isle, College of Professional Programs, Social Work program; the University of Southern Maine, School of Social Work; the University of New England, School of Social Work; Saint Joseph's College, Social Work program; and the National Association of Social Workers, Maine Chapter.

READ.

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

Representative **GRAMLICH:** Thank you, Madam Speaker. Madam Speaker, Colleagues of the House, I rise today to present the pending Joint Resolution to honor and celebrate Social Work Month. This is a time dedicated to recognizing valuable contributions of social workers around the world and certainly in the State of Maine.

Social workers are the unsung heroes of our communities, tirelessly dedicated to uplifting the most vulnerable among us. Social workers are the compassionate advocates, empathetic listeners and the relentless champions of social justice. In every corner of society, social workers are making a profound impact. I would venture to say, Madam Speaker, that each and every one of us here in this Chamber have been positively impacted by social workers. We work tirelessly in hospitals, schools, shelters and communities, providing support and guidance to those who need it most. We empower individuals and families to overcome obstacles, navigating challenges and build brighter futures. But our work, Madam Speaker, extends far beyond individual interactions. Social workers are catalysts for change, working to address systemic injustices and promote equity and inclusivity for all. Social workers challenge prejudice and discrimination, striving to create a world where everyone has equal access to opportunities and resources both in clinical micro settings as well as in macro settings similar to what we see right here in our Legislature. To that end, Madam Speaker, I am pleased to share that we currently have seven Members in this Body who are social workers.

During Social Work Month, let us take a moment to express our gratitude for this remarkable profession. Together, let us stand in solidarity with social workers everywhere as we continue to inspire hope, drive progress and transform lives for the better. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Madigan.

Representative **MADIGAN**: Thank you, Madam Speaker, Colleagues in the House. I would like to stand in support of this Resolution and I would like to thank the Good Representative from Old Orchard Beach for calling us social workers relentless. Because for those of you that know me, you probably know that probably describes me, is that I can be fairly relentless.

I've been a social worker for decades and worked in a variety of settings, and I would say that I think people have a mistaken view of social workers. I've always said that I could never be a good enough clinician without knowing policy, and that to be a good policymaker, I had to be a good clinician, because it takes both. You have to understand what peoples' needs are, how you can help them, how they can become empowered to then make change in a Body such as this. My work as a clinical social worker is what drove me to run for office in the first place, working with families in Waterville schools. Three moms who were working moms, had no health insurance and they died and I thought that was pretty outrageous, that I should not have been searching for services for orphans, that instead I would rather their moms had lived.

The whole time I've been here, I've worked as a clinical social worker, and so, what I thought I'd do today is tell you a little bit about the people I work with right now, because the people I work with right now are very much impacted by the decisions we make in this Body. I work with folks in recovery from substance use disorder, and on Friday, I had the great pleasure/opportunity, I can't describe the joy I felt in being able to sit with a mom in early recovery who was having a visit with her son that she hadn't seen in a while. We talked about dinosaurs and second grade and the smile on both their faces was worth every moment. And that's one of the things we do, and that's one of the things we should be encouraging in this Body, is families to do better together, for people to get into recovery. I also have another client who is farther along in his recovery journey and he's going to school. He's going to college. And he texted me two weeks ago because he's taking a journalism class and his assignment was to look up a bill and do a story on a particular bill he was interested in, something we were working on here. And so, he chose a bill but he didn't really know how to navigate all this, so, he knew his social worker was, you know, also working here, so, he texted me and I explained to him how to navigate the website and he called me later and was like Colleen, I don't know. They make you wade through a lot of stuff to use that website. And I said well, you know, that's an awful lot like working here sometimes.

So, the decisions we make here impact so many people across the State, and I am so grateful that as a social worker, I get to work with people who benefit from those. The flipside to that is, when we don't address things, I work with people who are harmed by those things. But I am forever grateful that I am a social worker, that I get to make change and work with people to help make changes for them to help them make changes that lead to their lives getting better. And thank you very much, Madam Speaker, and to my Colleagues.

Subsequently, the Joint Resolution was **ADOPTED** and sent for concurrence.

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Saige Evans, of Greenbush, a senior at Old Town High School and a member of the girls varsity basketball team, who recently scored her 1,000th career point. We extend our congratulations and best wishes;

(HLS 862)

Presented by Representative DILL of Old Town.

Cosponsored by Senator TIPPING of Penobscot, Representative CARMICHAEL of Greenbush.

On **OBJECTION** of Representative DILL of Old Town, was **REMOVED** from the Special Sentiment Calendar.

READ.

The SPEAKER: The Chair recognizes the Representative from Old Town, Representative Dill.

Representative **DILL**: Thank you, Madam Speaker. Madam Speaker and Colleagues of the House, not only, of course, is Saige Evans here, but the entire Old Town Girls Basketball Team is here also. So, I want to speak to them both briefly at the same time. And the girls' team was the Class B North Champs and they lost, unfortunately, to Oceanside in the State Finals. But I want to mention some of the accolades that the girls have received.

Some individual awards quickly; Alexis Degrasse was a Paul Soucy Award winner, Makayla Emerson was a defensive player award; this is for the conference; the Conference Senior All Star Team had Danica Brown, Alexis Degrasse, Makayla Emerson. And on the Big East All Conference Team, second team was Makayla Emerson and Taylor Loring. McDonald's All Stars Team was Makayla Emerson. And, finally, on the All-Tourney teams was Makayla Emerson and honorable mention Alexis Degrasse. But a couple other things I want to mention which is really significant in my mind. Yes, we talk about athletes and athletics, but this team has a grade point average of 98. So, not only are they athletic, they're also strong in academics, and I think that's a great thing to have. Another thing, these seniors actually have a record of 73-9 over their four-year career. As a team, they have raised over the last four years over \$5,000 for the Cancer Society of Maine, and every season, they have provided Christmas presents and a Christmas meal for at least three families in the Old Town community that would not otherwise have had a Christmas. So, you can see the team itself is more than just basketball.

Finally, I want to turn my remarks to Saige Evans. Saige reached her thousand points on January 31st, on her way to scoring a total of 1,095 points. She is a scholar-athlete, she was a Player of the Week on week eight. She's a Big East Senior All Star team member, Big East All Conference first team, McDonald's All-Star Team, McDonald's All-Academic team, which is awarded only to 10 to 12 players from the State, so, it's a very difficult achievement. She's on the All-Tourney Team and, of course, she was also the Class B North Tourney Most Valuable Player.

So, with that, I want to extend my congratulations not only to Saige but to the entire girls' basketball team and of course the coaches that make it possible. Thank you.

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

Recognizing:

Pat Moody, of Windham, for his over thirty years of service to local community programs in Windham. Mr. Moody served as the Director of the Windham Youth Basketball Association for 15 years and as Chairman of the Windham Recreation Advisory Board and of the Windham Community Center Exploratory Committee. He volunteers for XLP basketball, a nonprofit program in the Greater Portland area that helps keep finances from limiting youth basketball players' access to AAU club basketball. In 2020, he gathered a number of friends in town to build a gymnasium where kids now play basketball every day of the week. We extend our appreciation and best wishes;

(HLS 867)

Presented by Representative BAGSHAW of Windham.

Cosponsored by Senator NANGLE of Cumberland, Representative PRINGLE of Windham.

On **OBJECTION** of Representative BAGSHAW of Windham, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Windham, Representative Bagshaw.

Representative **BAGSHAW**: Thank you, Madam Speaker, Men and Women of the House. I rise today to honor the Mayor of Windham, Pat Moody, as he's affectionately called. To all his extensive basketball service, the Clerk just listed some of his achievements, I'm super proud of all of the basketball players from Windham, the Windham Eagles, Coach of the Year, Chad Pulkkinen. But Pat Moody literally was trying to figure out how to solve the problem of the boys not having basketball court time, so, he literally made a community unifier and they did a barn-raising; he built a gymnasium for them. So, congratulations, Chad; Congratulations, Pat and Windham Eagles, congratulations. Gold Ball winners this year.

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

Representative **PRINGLE**: Thank you, Madam Speaker. And I, too, rise to thank Pat Moody and all the folks he brought with him today, including the Windham boys' basketball team. I want to congratulate them on their victory, capturing the AA State Championships. They're here in the State House today, they may not be here at the moment, but you will see them around the State House today, and I am extraordinarily proud of their accomplishments, and Pat and his efforts, obviously, were huge to helping develop the skill set that our team has developed to achieve this accomplishment.

The other comment I would add, because we always have a pleasant rivalry within our fellow Representatives, is that our team beat our neighbors across the Presumpscot River; Gorham. And; but I'm also proud to say that it was Windham players who showed really exemplary sportsmanship. When a Gorham teammate was injured, a Windham player went to his aid. And they were a role model for all of us about how we respect and treat each other as we play the game.

And I will also let you know that Windham is RSU 14 and so, Representative Fay, who represents Raymond, is also a Representative for members of this team, and I appreciate Representative Bagshaw putting in this Sentiment to recognize Pat Moody and all the efforts that he made to help make this happen. Thank you.

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

Representative **SARGENT**: Thank you, Madam Speaker. I am very proud today to rise as a Windham Eagle. I am a graduate of Windham High School; we will not mention the year.

However, we will basically note that these young men and their coaches are the first; first ever Windham basketball team to win the State Championships. And so, when a team rises to that level; of course, also beating our archrival, I will again mention; it lifts the whole community and it lifts the thousands and thousands of alums who have been weeping at basketball games for decades.

And so, I just was delighted to see them there. I will just also mention that Chad Pulkkinen's father is a classmate of mine from Windham High School. So, again, bravo to the coaches and the team and celebration for the whole town of Windham.

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

In Memory of:

the Honorable Patricia Collins, of Caribou. Mrs. Collins served in both state and community roles, becoming the first female mayor of Caribou. She served on the University of Maine System Board of Trustees from 1987 to 1997 and in 1991 became only the second woman to serve as board chair. She was a member of the Caribou School Board, chair of the Maine Committee for Judicial Responsibility and Disability, a member of the Board of Visitors at the University of Maine at Presque Isle, a member of the advisory committee of the Maine Public Broadcasting Network, a court-appointed special advocate for children, chair of the Catholic Charities Maine Board of Directors and the Catholic Foundation of Maine Board of Trustees and one of two New England representatives to the National Advisory Council of the Conference of Catholic Bishops. She also was a painter, photographer and cook, writing two cookbooks, "Fifty Years of Cooking 1948-1998" and "Encore 1998-2010." She directed religious education programming at Holy Rosary Church in Caribou for nine years. Among the honors and awards she received were an Honorary Doctor of Humane Letters from the University of Maine at Presque Isle, the Deborah Morton Award from Westbrook College, the Black Bear Award from the University of Maine General Alumni Association, the Diocesan Miraculous Conception Medal and the Fogler Legacy Award from the University of Maine, which was awarded to the Don and Pat Collins Family. She was elected to the Maine Women's Hall of Fame in 2005. Mrs. Collins will be long remembered and sadly missed by her family and friends and all those whose lives she touched;

(SLS 1548)

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. Madam Speaker, I rise to recognize an incredible woman in Maine State history. Patricia Collins lived 96 amazing years, was a living legend at the time of her death. She was the first female Mayor of Caribou, and her lists of accolades and accomplishments are really too long to even list. She was very involved in her religion, in education and was in the Maine Women's Hall of Fame.

I think one of her great accomplishments that maybe doesn't get enough recognition is being a mother. And she was the mother to our Senator, Susan Collins. And it really shows you the importance of being a mother and being a strong role model, because I can't imagine how much pride she had in her daughter and how much, as her daughter was growing up to

strive to be like the woman her mother was, what a great example of leadership and independence but also motherhood. I just wanted to stand and say that my prayers go out to the family and recognize an incredible woman who lived an exceptional life. And thank you, Madam Speaker.

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

Representative **BRIDGEO**: Thank you, Madam Speaker, Members of the House. Just a momentary reflection on a really terrific woman. As a kid who grew up in Caribou, whose family were contemporaries with the Collins family, went to the same church, experienced the many important contributions that Pat Collins, Don Collins, her husband, the Collins kids all made to their community and then later on to the State and to the nation. Pat Collins really set the gold standard for family service, community service, service of State and country, and I think it's important that we all recognize and acknowledge what a wonderful person she was and the great contributions that she made. Thank you.

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

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

UNFINISHED BUSINESS

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

Expression of Legislative Sentiment Recognizing Norway Savings Bank

(HLS 751)

TABLED - February 20, 2024 (Till Later Today) by Representative MILLETT of Waterford.

PENDING - **PASSAGE**.

The SPEAKER: The Chair recognizes the Representative from Waterford, Representative Millett.

Representative **MILLETT**: Thank you, Madam Speaker, and thank you for taking this order out of order. And I would like to share with you, Ladies and Gentlemen of the House, my distinct pride and satisfaction that this bank is receiving recognition for two different awards awarded earlier this year. The first being, as Clerk Hunt mentioned it, the BauerFinancial Group has rated banks for many, many years, and it has what they call their five-star rating for banks that have received their five-point rating for 25 or more years. In this case, Norway Savings Bank has qualified for that highest rating for a period consecutively of 34 years. The second award and recognition is that they have received an outstanding award, rated by the Community Investment Act, which is administered by the Federal Deposit Insurance Company, and it recognizes banks that have demonstrated leadership and an excellent responsiveness to the credit needs of individuals of all income levels, including small businesses, including those that are located in low- and moderate-income neighborhoods. The third point that was mentioned in Clerk Hunt's reading was something that we rarely see, but a direct quote from the BauerFinancial rating, which, because of that rating being awarded for 34 consecutive years, it demonstrates that Norway Savings Bank is one of the strongest banks in the nation. And that is a direct quote.

Just as a little bit of history to those of you who may not be familiar; the bank is headquartered in Norway but has 24 regional bank offices that would represent and be represented

by 24 of my colleagues here, and they will soon open a bank in North Conway, New Hampshire, representing their growth and their recognition that the markets in southern Maine and even New Hampshire region warrant their attention. It has been my personal bank of choice for over 50 years and I'm very proud to recognize them today. They will be introduced, the leadership team, from the President and three of his colleagues, and I just want to make sure that they understand the significance of their recent recognitions and the pleasure and congratulations that we extend to them. Thank you, Madam Speaker.

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

**REPORTS OF COMMITTEE
Divided Reports**

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-564)** on Bill "An Act to Maintain State Police Rural Patrol Services at 2020 Staffing Levels" (EMERGENCY)

(S.P. 902) (L.D. 2109)

Signed:

Senators:

BEEBE-CENTER of Knox
HARRINGTON of York
LaFOUNTAIN of Kennebec

Representatives:

SALISBURY of Westbrook
ARDELL of Monticello
LAJOIE of Lewiston
MATHIESON of Kittery
NEWMAN of Belgrade
NUTTING of Oakland
PERKINS of Dover-Foxcroft

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

Signed:

Representatives:

LOOKNER of Portland
MILLIKEN of Blue Hill

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-564)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-564)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-564)** in concurrence.

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-570)** on Bill "An Act to Finance Clean Energy and Infrastructure in Maine"
(S.P. 638) (L.D. 1606)

Signed:

Senators:

LAWRENCE of York
GROHOSKI of Hancock

Representatives:

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

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

Signed:

Senator:

HARRINGTON of York

Representatives:

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

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-570)**.

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (S-570)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-570)** in concurrence.

Majority Report of the Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-563)** on Bill "An Act to Protect Maine's Inland Fisheries from Invasive Fish"
(S.P. 418) (L.D. 1049)

Signed:

Senators:

LaFOUNTAIN of Kennebec
BLACK of Franklin
CURRY of Waldo

Representatives:

LANDRY of Farmington
DILL of Old Town
DRINKWATER of Milford
HEPLER of Woolwich
MASON of Lisbon
THORNE of Carmel
WOODSOME of Waterboro

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

Signed:

Representatives:

CLUCHEY of Bowdoinham
GOLEK of Harpswell
WOOD of Greene

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-563)**.

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (S-563)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-563)** in concurrence.

Majority Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-544)** on Bill "An Act to Extend and Expand the Loring Job Increment Financing Fund"
(S.P. 810) (L.D. 1981)

Signed:

Senators:

CURRY of Waldo
RAFFERTY of York

Representatives:

ROBERTS of South Berwick
COLLAMORE of Pittsfield
CROCKETT of Portland
LANIGAN of Sanford
LaROCHELLE of Augusta
NESS of Fryeburg
SAYRE of Kennebunk
WHITE of Waterville

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

Signed:

Senator:

GUERIN of Penobscot

Representative:

SMITH of Palermo

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-544) AS AMENDED BY SENATE AMENDMENT "A" (S-557)** thereto.

READ.

On motion of Representative ROBERTS of South Berwick, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE. Committee Amendment "A" (S-544)** was **READ** by the Clerk.

Senate Amendment "A" (S-557) to **Committee Amendment "A" (S-544)** was **READ** by the Clerk.

On motion of Representative ROBERTS of South Berwick, **Senate Amendment "A" (S-557) to Committee Amendment "A" (S-544)** was **INDEFINITELY POSTPONED**.

Subsequently, **Committee Amendment "A" (S-544)** was **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-544)** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought Not to Pass** on Bill "An Act to Transfer the Arch Hangar at the Former Loring Air Force Base to the Loring Air Museum"

(S.P. 823) (L.D. 1998)

Signed:

Senator:

GUERIN of Penobscot

Representatives:

ROBERTS of South Berwick
COLLAMORE of Pittsfield
LANIGAN of Sanford
LaROCHELLE of Augusta
NESS of Fryeburg
SAYRE of Kennebunk
SMITH of Palermo
WALKER of Naples
WHITE of Waterville

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-561)** on same Bill.

Signed:

Senators:

CURRY of Waldo
RAFFERTY of York

Representative:

CROCKETT of Portland

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-561)**.

READ.

On motion of Representative ROBERTS of South Berwick, the Majority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-559)** on Bill "An Act to Require the Probate Court to Report Name Changes to the State Bureau of Identification" (EMERGENCY)

(S.P. 305) (L.D. 747)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York
BRAKEY of Androscoggin

Representatives:

MOONEN of Portland
HAGGAN of Hampden
HENDERSON of Rumford
KUHN of Falmouth
LEE of Auburn
MORIARTY of Cumberland
POIRIER of Skowhegan
SHEEHAN of Biddeford

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

Signed:

Representative:

ANDREWS of Paris

Representative DANA of the Passamaquoddy Tribe - of the House - supports the Majority **Ought to Pass as Amended by Committee Amendment "A" (S-559)** Report.

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-559)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-559)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-559)** in concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-568)** on Bill "An Act to Reauthorize Maine's New Markets Tax Credit Program"

(S.P. 808) (L.D. 1974)

Signed:

Senators:

GROHOSKI of Hancock
CHIPMAN of Cumberland
LIBBY of Cumberland

Representatives:

PERRY of Bangor
CARMICHAEL of Greenbush
CROCKETT of Portland
HASENFUS of Readfield
MATLACK of St. George
RANA of Bangor
RUDNICKI of Fairfield

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

Signed:

Representatives:

LIBBY of Auburn
QUINT of Hodgdon

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-568)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-568)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-568)** in concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-567)** on Bill "An Act to Accelerate the Production of Affordable Housing and Strengthen the Historic Property Rehabilitation Tax Credit"

(S.P. 899) (L.D. 2106)

Signed:

Senators:

- GROHOSKI of Hancock
- CHIPMAN of Cumberland
- LIBBY of Cumberland

Representatives:

- PERRY of Bangor
- CROCKETT of Portland
- HASENFUS of Readfield
- MATLACK of St. George
- RANA of Bangor

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

Signed:

Representatives:

- CARMICHAEL of Greenbush
- LIBBY of Auburn
- QUINT of Hodgdon
- RUDNICKI of Fairfield

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-567)**.

READ.

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

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

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

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

Representative **QUINT**: Thank you, Madam Speaker. The Minority Report; the issue really that we were responding to within this bill is not that there's not an affordable housing issue, it was really that within the Tax Committee, many bills were coming forward in which tax credits were being changed that were normally specific to a certain cause. And with this being a historic property rehabilitation tax credit, I think that we needed to have clarity and really just the ability for people to see where money is being shifted around and what it's used for. When it comes to affordable housing, I like to be able to ask, you know, for a report and it would show all of the money that would be spent on a certain topic. And this is just another one of those

gray areas within the Tax Committee with tax credits where money is being used or being allocated and which we have really no way of looking for that, and with the housing crisis that we do have, I feel that transparency is important. So, that was the issue with the bill and I wanted people to be aware of that. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Bangor, Representative Perry.

Representative **PERRY**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, just for an explanation of this bill, the historic preservation tax credit has been around for about 20 years. There's an OPEGA report recently talking about what an enormous success it is. You don't have to read the report, just look around at all the old mills and old historic buildings in the State that have been rehabilitated over the years. And most of them are mixed use; commercial on the first floor, luxury apartments, affordable apartments, elderly apartments. It's responsible for hundreds of new housing units in the State.

And this does not expand the program at all. The problem is, since it was created, the cost of construction's gone up significantly. And so, the amount of the benefit that can be received in any given year is not enough to fund the construction for that year, so, it's forcing developers to make very costly decisions to how they schedule their construction work because they need to spread it out over a period of time to take advantage of the credit. So, this just speeds up the way they can collect this tax credit. It does not increase it, it just changes the timing, and it was a really important piece to getting some big projects in many of your communities going. Thank you.

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

Representative **UNDERWOOD**: Well, the question is will these particular apartments be used for legal Americans who are moving to the State?

The **SPEAKER**: The Member has posed a question to anyone who cares to answer. The Chair recognizes the Representative from Hodgdon, Representative Quint.

Representative **QUINT**: Thank you, Madam Speaker. I had my button pushed before that question. I cannot really answer that question other than to say that housing cannot discriminate, and so, it could be used for anyone within the State of Maine.

However, I did want to point out that the bill increases the maximum tax credit for the projects from \$5 million to \$10 million, so, it does double the amount. The fiscal note goes from \$95,000 the first year, \$950,000 the second year, to \$2.8 million in the third year. And that's just where I had my concerns with transparency. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Bangor, Representative Perry.

Representative **PERRY**: Thank you, Madam Speaker. Madam Speaker, I just want to clarify that. There is a timing issue. We have not expanded this credit. There will be a fiscal note in the first few years as people are allowed to take the credit on a faster schedule, that's all. It does not increase the value of the tax credit. Thank you.

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

ROLL CALL NO. 402

YEA - Ankeles, Arford, Beck, Bell, Blier, Bridgeo, Carlow, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Drinkwater, Eaton, Fay, Gattine, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Lajoie, Landry, Lanigan, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Moonen, Moriarty, Murphy, 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, Warren, White B, Woodsome, Zager, Zeigler, Madam Speaker.

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

ABSENT - Abdi, Albert, Boyle, Brennan, Carmichael, Galletta, Geiger, Mason, Montell, O'Connell, Sampson, Terry, Williams, Worth.

Yes, 79; No, 58; Absent, 14; Vacant, 0; Excused, 0.

79 having voted in the affirmative and 58 voted in the negative, with 14 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-567)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-567)** in concurrence.

Five Members of the Committee on **TAXATION** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-569)** on Bill "An Act to Promote Economic Growth Through Increased Film Incentives"

(S.P. 444) (L.D. 1075)

Signed:

Senators:

GROHOSKI of Hancock
CHIPMAN of Cumberland

Representatives:

CROCKETT of Portland
HASENFUS of Readfield
MATLACK of St. George

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

LAVIGNE of Berwick
QUINT of Hodgdon
RANA of Bangor
RUDNICKI of Fairfield

Came from the Senate with Report "A" **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-569)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-569)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-569)** in concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass** on Bill "An Act to Continue Allowing the Department of Corrections to Accept Placement of Certain Defendants Found Incompetent to Stand Trial" (EMERGENCY)

(H.P. 1308) (L.D. 2046)

Signed:

Senators:

HARRINGTON of York
LaFOUNTAIN of Kennebec

Representatives:

SALISBURY of Westbrook
ARDELL of Monticello
LAJOIE of Lewiston
NEWMAN of Belgrade
NUTTING of Oakland
PERKINS of Dover-Foxcroft

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-817)** on same Bill.

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

HASENFUS of Readfield
LOOKNER of Portland
MATHIESON of Kittery
MILLIKEN of Blue Hill

READ.

Representative SALISBURY of Westbrook moved that the House **ACCEPT** the Minority **Ought to Pass as Amended** Report.

The SPEAKER: The Chair recognizes the Representative from Dover-Foxcroft, Representative Perkins.

Representative **PERKINS**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. When we looked at this, we understood that this bill applied to a very small group of people who were found incompetent to stand trial, but whose incompetence was not caused by treatable and diagnosable mental health condition. So, to be very clear, Madam Speaker, if someone is incompetent to stand trial and they can be treated through a treatable and diagnosable mental health condition,

they go to the Riverview facility, and that's appropriate, because they can get help there.

But this is about another group. This is a group that, for whatever reason, that they're incompetent, going to Riverview doesn't help them. They can't be treated there. And so, we have to send them somewhere. Riverview doesn't want these people, Madam Speaker, because they don't have the staff for them; I'm sure everybody's aware we have a, you know, severe lack of mental health workers and facilities in the State. And if we take, again, I know it's only a few people, but these are people that used quite a bit of resources when they were at Riverview. They were an increased danger to the staff, to the patients that were just there trying to get normal treatment that could help them, and having them at Riverview was a big detriment to those people that were there trying to get well.

So, we really can't put them at Riverview, Riverview can't treat them, they don't have a treatable and diagnosable mental health condition, so, we would just be housing them there as opposed to housing them where they are now, and yet, we would be increasing the danger to both the staff and the other patients at Riverview. Additionally, Madam Speaker, if we don't put them there, where are we going to put them? We can't let them go. I mean, and to me, in no world does it make sense that we have people that are too dangerous to be at Riverview and yet, we're going to let them go to the general public. I mean, so, that to me is not an option. I guess our other option would be we could spend 10s of millions of dollars to build another facility, another secured facility, just for this very small group of people. And again, Madam Speaker, we don't have the ability to staff all the mental health worker slots that we have now; we wouldn't be able to staff those additional positions and it would cost 10s of millions of dollars. So, putting up another facility just for them, to me, that's fiscal malfeasance, Madam Speaker.

The reality is we have a solution that works. It's been in place, it has a sunset in it and, if that sunset transacts and we have to put these people somewhere or we have to pass a law that allows them to stay where they are, but we have a solution in place. It works and it takes into due regard the safety of both the defendant, the person that we're talking about, but also our mental health workers, just normal people trying to get some mental health services at Riverview and the general public. So, I ask you, Madam Speaker, not to support the Minority Report.

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

Representative **SALISBURY**: Thank you, Madam Speaker. This is a bill that I submitted on behalf of the Department of Corrections and it follows up on a law that was passed in the 130th Legislature. It was unanimously passed out of Criminal Justice and Public Safety.

The law now states that the Commissioner can accept placement of adult defendants into a mental health unit of a correctional facility only if the court finds clear and convincing evidence that they are incompetent to stand trial. Once they are found incompetent to stand trial, there are three specific reasons that the court needs to find. One, the defendant is at risk of causing serious harm by engaging in interpersonal violence that is not primarily driven by symptoms of a major mental illness or other disability. Second, there is not sufficient security at a State mental health institute to address the likelihood of serious harm; and there are no other, less restrictive alternative to placement in a mental health unit of a correctional facility. Within the law currently, care can be terminated if the Commissioner finds that the likelihood of serious harm has decreased and then, after 90 days, the defendant may petition the court for return to a placement that has a less restrictive setting.

What this new bill was intending to address is the fact that the law has a sunset provision that the law be repealed July 1, 2024. Also, in the current law, there was a report requested to be made to the Criminal Justice and Public Safety Committee by DHHS and DOC reporting out on what the findings were of the implementation of the current law. On January 8th of this year, the Criminal Justice Committee received a report and was advised that over the course of since 2021, it had been used four times on individuals who presented risk too significant to manage at Riverview Psychiatric Center. Of the four patients that were referred to the IMHU, which is the Intensive Mental Health Unit housed at the Maine State Prison, three had their competence restored and were able to resolve their legal situations, and the fourth is currently still in the process of doing so.

This law was passed, the review was done, it was used very few times, so I feel like we've done what was originally asked in that law. Creating a new group is not something that I feel like we need to do, therefore I will not be supporting this Minority Report. Thank you.

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

Representative **CYRWAY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I see on this bill, the Committee; there's four law enforcement officers that are professionals that all had an interest in making it safe for the public. They made the decision to go to the Majority Report. On the other side, it doesn't have the experience that they do.

I know as an assistant jail administrator, and also, I had a very good friend that was a mental health worker and he worked in the jail and then he was moved over to Riverside, and he got seriously injured in the situation that's being placed here, to the point where he is totally disabled and he had head injury and also crippled to the point he had a very difficult time getting back to walk again.

So, I'm saying that, with the experience here, and you heard Representative Salisbury state that they did due diligence in exploring this, and then all of a sudden make this a Minority Report is not responsible. We have to take care of the public safety issue here and we just don't want to see our mental health workers be in harm's way. So, I would recommend that we go with the Majority Report. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Readfield, Representative Hasenfus.

Representative **HASENFUS**: Thank you, Madam Speaker. Madam Speaker, Hubert Humphrey, a Vice President of the United States, once said that the ultimate moral test of any government is the way it treats three groups of its citizens. First, those in the dawn of life; our children. Second, those in the shadows of life; the handicapped, our sick and our needy. Third, those in the twilight of life; our elderly. Nelson Mandela, borrowing from Dostoyevsky, said that it is said that no one truly knows the nation until one has been inside a jail. A nation should not be judged by how it treats its highest citizens, but its lowest ones.

The bill before us is dealing with the individuals who often do not get brought to the forefront here. There is little doubt that the subjects of this bill are those in the deepest, darkest shadows, eclipsed by the most obscure parts of society. The individuals we're talking about in this bill are the ones that can easily be forgotten; so forgotten that even the presumption of innocence, a fundamental tenant of American jurisprudence and of liberty itself, is washed away out of the need for expediency. These individuals who are receiving treatment in the Maine State Prison are, by definition, innocent. Regardless of how

effective that treatment might be, we must be vigilant and constantly ask ourselves, this Body needs to ask itself, if sending innocent people to Maine State Prison is the appropriate measure of our society.

Report A, the motion before this Body, is a report that I worked hard to really vet out. And I think it's really important to understand that we are not talking about whether or not these individuals should currently and continue to go to the Maine State Prison. It is clear that that is the option that we have in front of us on the State level. But what this amendment does is it finds that balance between our constitutional rights, the presumption of innocence and the protection of our most unseen members of society. Removing the sunset of this bill would effectively take this Body outside of an oversight position. It would concede our power to the Chief Executive and we would really have no role in the future to ask ourselves if this is, in fact, the correct policy and what we should be doing here in Maine. A sunset that comes in the first term of a new administration, 90 days after the Legislature adjourns, with a report from all of the stakeholders; not just the Department of Health and Human Services and the Department of Corrections but from defense attorneys, from organizations who make a living looking out for those individuals who are often forgotten about; that after that report comes to the Legislature in 2027, we then can decide once again if this is really the best policy for the State of Maine.

So, yes, the Good Representative from Dexter was correct that right now, Riverview is not the appropriate place to send individuals who are not competent to stand trial and don't have any treatable underlying mental disorder. But does that mean that it will always be the case that the Maine State Prison is where they should go? I think perhaps not. And in talking to some of the doctors who treat these individuals, you know, I asked them, would the standard of care change at Riverview or at Maine State Prison if there was a sunset? The answer was no, that the standard of care would not change.

And so, I'm asking this Body to follow my light so that we can be the ones to make sure that these individuals do not fall in the shadows. Thank you, Madam Speaker.

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

Representative **LIBBY**: Thank you, Madam Speaker. Madam Speaker, I went to college in Rochester, New York, where I earned my nursing degree. And during my time there, I spent clinical hours in a forensic psychiatric unit, where there were patients who had been deemed incompetent to stand trial. And I remember, as a 20-year-old from rural Maine, being absolutely shocked by some of the acts that these patients had committed, but I also remember being appreciative of the exceptional and appropriate care that they received. Appropriate to the mental illnesses that had contributed to these acts. Madam Speaker, being deemed incompetent to stand trial does not equal being convicted of a crime. The Fifth Amendment is clear; no person may be deprived of life, liberty or property without due process of law. This protection does not include caveats. It doesn't say no person may be deprived of life, liberty or property without due process of law, but if mental health care options are inadequate in the State, we can ignore it. It doesn't say no person shall be deprived of life, liberty or property without due process of law, but if we haven't allocated resources appropriately, we can ignore it. It doesn't say no person may be deprived of life, liberty or property without due process of law, but you may if it's a small group of people.

I fear the slippery slope we face if we vote away due process today, Madam Speaker. The legal principle that we are all presumed innocent unless, with sufficient due process, we

are found guilty is absolute, and it should be upheld. This amendment that we're voting on right now allows for housing at Maine State Prison for three more years. It does not end that. I understand that we need a permanent solution. I agree. I am not naïve to the very serious acts committed by these individuals and I agree that we need to weigh public safety. And so, I appreciate that this amendment includes gathering the stakeholders to come up with a permanent legislative solution instead of continuing stopgap measures.

Madam Speaker, I ask my Colleagues on both sides of the aisle to vote in favor of the pending motion. It may be inconvenient to extend the sunset, but better a little short-term inconvenience on the way to a permanent solution than an unconstitutional solution that sets a terrible precedent. Thank you, Madam Speaker.

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, if you are somewhat confused about this bill, it's because both reports are somewhat similar. I'm here to ask you to vote down the motion that's in front of you and proceed to the bipartisan Majority Report, and I'll tell you why.

In the last Legislature; if I repeat something you've already heard, it's because I might not have heard it; but in the last Legislature, we passed a law that allows the Department to do this. It sunsetted this coming July 1st, and so, we need to do something or it will die. The report that's in front of you now replaces the sunset that we're experiencing in a couple of months with a sunset in a couple of years. So, there's that.

In the past year, we have heard that there were only four individuals who were involved in this situation and from those four individuals, three of them were cycled out of that facility. So, I think that the idea of the sunset a year ago or a year and a half ago was to give the plan a try, see if it worked. I suggest to you that the plan was tried, it clearly worked, only four people were put there and three of them were cycled out; so, it clearly works, and why, then, would we want to continually go through this over and over and over again? We will find out shortly, I think, one of the dangers of putting this with a sunset and an emergency being necessary, and we will find that out. But my hope is that you will defeat the current motion and then we can move on to the motion that simply removes the sunset after the trial period we've had and after the success we've had. Thank you, Madam Speaker.

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

Representative **LOOKNER**: Thank you, Madam Speaker. I rise in support of the motion. The big problem I had as one of two remaining returning Members of the Committee from the last session, I supported the bill last session that extended the sunset for one year, kicking the can down the road to give the State some time to come up with solutions that do not include putting people who have not been convicted of any crime into the Maine State Prison.

I recognize the difficulty of working with some of these individuals. These are the folks that nobody wants to deal with, so to speak. Everybody has a hard time. Riverview does not want to deal with these folks, you know, out of sight, out of mind in the Maine State Prison. That's great. I don't support that mentality. It's been heard repeatedly in front of the Criminal Justice and Public Safety Committee from the Department of Corrections, from the jails, from the Sheriffs, that our corrections system and our jail system has become the *de facto* mental health and the largest provider of mental health services in the

State. And I have a hard time with that. I have a hard time saying that we should just rubber-stamp that and just say, you know what, we can't provide services outside that are going to help these folks and we should just put them in jail, put them in prison; out of sight, out of mind.

And some folks might say that the mental health unit in the Maine State Prison is a warm and restorative place to go. That might be true for some individuals, but it's a prison. I've visited, it's a little cell and you're confined there for long periods of time every day and not to mention that recently a lot of folks in administration at the Maine State Prison have been found to have been engaging in inappropriate, abusive behavior. A lot of those folks are on leave for engaging in hazing rituals. So, I don't think that's the most appropriate setting.

What the amendment that I supported will do is give the State three more years to come up with due process requirements and to try to figure out the most appropriate treatment setting for this small group of people. I, too, have worked in the mental health field. I, too, recognize that sometimes there are really difficult folks to deal with. That doesn't mean the best way to deal with them is just to say, out of sight, out of mind, not my problem.

So, I hope we can work towards a better solution, that's why I support this motion in front of us and I think it does the right work of balancing constitutional rights and public safety. So, please join me in supporting the motion.

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

Representative **CYRWAY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise one more time, only because I understand how dangerous and reckless this would be if this gets voted in as the motion stands.

I believe that they weren't speaking to the people that actually do the work. We have a facility that's designed for helping the mental health and I agreed with that, and I think that we've done a very tremendous job. But it's not designed to take care of dangerous situations that can arise from this, and it's been proven. We've had people that are handicapped for the rest of their lives and now, we're just going to say, let's wipe that clean and let's just let them back the way it was. And it's not going to happen, because I think that what's going to happen, you're going to experience the same problem we just had. We have been making strides, there's been a lot of review, there's a lot of things that are happening in trying to make it better.

There are people that have been very dangerous, but have been released back into the community. In fact, I can even remember way back when we had an individual that killed four nuns. It made national news. And that person got out eventually. It's not that these people are just left in there to rot. It's not that way. In fact, there's a lot of success, but we just have to make it safe and wise when we go and do these things. We can't just recklessly and say, oh, well, this is for the betterment of the individual. Well, we have to also look at making it better for the individual, but also looking at the safety of people dealing with this.

You know, it's nice to hear about doctors and whatever on the outside, but think of the people that have to work on the inside. You think we've got a shortage now of doing these type jobs? What do you think it's going to be if we go and just say, well, we're going to put everybody over there, even if they are very dangerous? Those people are going to be leaving that work. They're not going to stay. Because they're going to see how dangerous it is and they want to go home. They want to deal with their families. So, we really have to think carefully and

not vote for this motion. That's my point, Madam Speaker, and I hope you'll listen. Thank you.

The SPEAKER: The Chair recognizes the Representative from Sanford, Representative Lanigan.

Representative **LANIGAN**: Thank you, Madam Speaker, Members of the House, for allowing me to rise in opposition of the pending motion. All I can hear as I sit here and listen to both arguments is, why aren't we going after a solution? Why do we keep kicking the same can down the same road? We have tons of bills in front of us this session that fund mental health, that increase our attraction of social workers, and we don't want to fund them. We have \$373 million in extra revenue. We're not giving tax cuts to our individuals, so, why not at least give them safety? It just seems that all we do, we talk about the same problems; I mean, I've been here a short period and we talk about the same problems, we find solutions and we just kick it down the road. And that's what this does right here. Why don't we actually fund the solutions, Madam Speaker? And I hope I stay germane to this, we are not working on the bills that are in front of us that actually will maybe prevent these people from ending up in this situation. Why aren't we talking about that? Why are we always talking about afterwards and the repercussions of?

So, I just ask the Members to keep that fire under us to actually find solutions and vote this pending motion down and give us a reason why we're working towards funding the solution and stop these stopgap Band-Aid measures that just do not do anything except create a problem for another Legislature at another time and cost the taxpayers more and more money. Thank you so much, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Cape Elizabeth, Representative Millett.

Representative **MILLETT**: Thank you, Madam Speaker. I have worked in this esteemed building for a very long time. I certainly understand my colleague's frustration. I'm hearing about problems over and over and not seeing progress. What I've learned is that real solutions, real progress takes time, takes compromise, takes a commitment to the process. My understanding is that the amendment that is before us recommits us to that. This is nothing reckless. This keeps in place what we already have in place. Keeps in place public safety while we address these real issues.

So, I just want to make sure that we're all clear about what the amendment before us is doing. It's extending the sunset. Simple as that. So, we can all come together, bipartisan manner, all stakeholders, to finally resolve this issue once and for all. Thank you, Madam Speaker.

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

ROLL CALL NO. 403

YEA - Ankeles, Beck, Bell, Boyer, Cluchey, Collings, Crafts, Crockett, Dodge, Eaton, Fay, Gattine, Golek, Gramlich, Hasenfus, Jauch, Kessler, Kuhn, LaRochelle, Lee, Libby, Lookner, Madigan, Mathieson, Matlack, Millett R, Milliken, Murphy, O'Neil, Osher, Perry J, Pluecker, Rana, Riseman, Roeder, Russell, Sargent, Sayre, Shaw, Sheehan, Sinclair, Skold, Supica, Theriault, Underwood, Warren, Zager, Zeigler, Madam Speaker.

NAY - Adams, Andrews, Arata, Ardell, Arford, Babin, Bagshaw, Blier, Bradstreet, Bridgeo, Campbell, Carlow, Cloutier, Collamore, Costain, Craven, Cray, Cyrway, Davis, Dhalac, Dill, Doudera, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gere, Gifford, Graham,

Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hepler, Hobbs, Hymes, Jackson, Javner, Lajoie, Landry, Lanigan, Lavigne, Lemelin, Lyman, Malon, Mason, Mastraccio, Meyer, Millett H, Moonen, Moriarty, Morris, Ness, Newman, Nutting, Parry, Paul, Perkins, Perry A, Poirier, Polewarczyk, Pomerleau, Pringle, Quint, Rielly, Roberts, Rudnicki, Runte, Sachs, Salisbury, Schmearsal-Burgess, Shagoury, Simmons, Smith, Soboleski, Stover, Strout, Swallow, Thorne, Walker, White B, White J, Wood, Woodsome.

ABSENT - Abdi, Albert, Boyle, Brennan, Carmichael, Copeland, Galletta, Geiger, Montell, O'Connell, Sampson, Terry, Williams, Worth.

Yes, 49; No, 88; Absent, 14; Vacant, 0; Excused, 0.

49 having voted in the affirmative and 88 voted in the negative, with 14 being absent, and accordingly the Minority **Ought to Pass as Amended** Report was **NOT ACCEPTED**.

Subsequently, on motion of Representative SALISBURY of Westbrook, 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** 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 Support an Insured Patient's Access to Affordable Health Care with Timely Access to Health Care Prices"

(H.P. 1119) (L.D. 1740)

Signed:

Senator:

RENY of Lincoln

Representatives:

CLUCHEY of Bowdoinham

MASTRACCIO of Sanford

MATHIESON of Kittery

NUTTING of Oakland

PRINGLE of Windham

SWALLOW of Houlton

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-819)** on same Bill.

Signed:

Senators:

BAILEY of York

BRAKEY of Androscoggin

Representatives:

PERRY of Calais

ARFORD of Brunswick

CYRWAY of Albion

MORRIS of Turner

READ.

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

Representative MORRIS of Turner **REQUESTED** a roll call on the motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

This bill is really at its heart about transparency, price transparency. It incorporates some things from federal law that are important. There has been a federal law on the books for a couple of years now and, with all the dysfunction in Washington that has been going on that is well documented, the fact that there was able to be bipartisan consensus around this at the federal level, I think this is something we should be trying to incorporate into our State laws, particularly when you consider many constituents are concerned about the rising cost of health care. And this bill really seeks to do a couple things. One, puts some teeth into the Federal Statute and allow Maine laws to enforce the Federal Statute. And the other thing it does is it requires providers to give the patients a good-faith estimate in advance of any sort of procedures before they go in. I know that's something that, you know, most business owners are able to do, is provide a good faith estimate of what the cost is going to be; this is simply something that is enshrining this into law as it relates to our health care laws as well. I think that this is a step in the right direction. I appreciate the Good Representative from Brunswick for bringing it forward and I hope you'll follow my light and reject this motion. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Brunswick, Representative Arford.

Representative **ARFORD**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to this motion. And I ask the Good Ladies and Gentlemen of this House to imagine a world --

The **SPEAKER**: The Member will defer. The Member needs to address the Chair while making remarks.

The Chair reminded Representative ARFORD of Brunswick to address their comments toward the Speaker.

The **SPEAKER**: The Chair recognizes the Representative from Brunswick, Representative Arford.

Representative **ARFORD**: Imagine a world where you no longer question whether or not you have a right; a right to know the cost of your health care service before it is delivered to you. Every single time. Where it becomes, in a sense, a standard of care. I think we all can agree that that is simply not the way it works right now. The way it works right now is, for those of us who actually believe that we have that right and ask for it, sometimes; sometimes, we're given access to a process by which we can obtain that information. And sometimes we're told things, which happened to me not too long ago, why do you want that information? I'm an insured patient. You're not paying for it; your insurance is paying for it. Well, years ago, that was the case, but now we have an instrument called the high-deductible health care plans. And now, we are paying a huge share out of pocket on many services that we receive.

What this bill does, it establishes, strengthens, built on what we currently have in Statute to establish the right to knowing accurate and the price of our health care, including what we will pay out of pocket before we receive the service. And the federal government, as the Good Representative from Turner just alluded to, the federal government has passed a bill called the No Surprises Act, and in that Act there's two components; a good-faith estimate and an advance explanation of benefits. This bill addresses both. The good-faith estimate is provided by the provider, the advance explanation of benefit is provided by the insurer. The federal government has rules in place now for uninsured patients. If you're an uninsured or self-pay patient and you go to schedule or to inquire and consider a

health care service, by federal law, right now, the provider is required to ask you if you would like this information. I'm insured, but I have yet to talk to any uninsured patient who has experienced that. I'm not saying it doesn't ever happen, but it's certainly not mainstream.

And so, what this bill does, it codifies that in State law, exactly what the federal government is requiring right now, we simply codify that. And that's really important for two reasons. One, we can then enforce it; and two, if the federal government decides at some point to repeal that, we will still have it here in Maine. And then, in terms of for insured patients, the federal government has yet to publish the rules for a good-faith estimate or an advance explanation of benefits. So, we've been waiting two years, by the way, they're two years in arrears of publishing these rules. So, what this bill does is basically lay the foundation for when those federal rules come onboard, it lays the foundation for our providers and our insurers and it starts the wheels in motion and requires things that are not required right now. So, a patient, if you're insured, you don't get a good-faith estimate yet because we're not sure exactly how that's going to look. What you do is you get access to the information you need so that you can then take that to your insurer and get your out-of-pocket estimate. That is not in Statute now.

So, as to not belabor this, I will not support this because in my heart, I truly support the right for price transparency for patients, including their out-of-pocket costs, and this bill takes us light-years forward toward realizing that right being available to every citizen, every person who lives in the State of Maine. Thank you.

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

Representative **LIBBY**: Thank you, Madam Speaker. Madam Speaker, just about one year ago this month, I missed almost a week of session. And I missed almost a week of session because my then-11-year-old son was admitted to a hospital with a very serious infection. He is fine now, but there was a very stressful time and we got a very large bill after that hospital stay. Thankfully, in the interim between that stay and the very large bill, I had been able to look on that facility's website and they do, indeed, at that facility, follow the federal guidelines for health care price transparency, and we knew a ballpark and were able to plan ahead for when that bill arrived.

It's great that that facility is following the federal guidelines, but that is not the case throughout all of Maine. And so, as we consider this bill, I also stand to oppose the pending motion. I'm sure that you, Madam Speaker, like all of us, have heard from constituents who are concerned about surprise bills; who don't know what their care is going to cost. When you walk into a grocery store and you purchase a product, you know exactly what it's going to cost, and when you are trying to access health care in our State, you don't have that same guarantee. How can we appropriately estimate and shop for that care if we have no idea what it's going to cost?

The federal government has passed rules around price transparency and Maine hospitals are not all following these rules, and Maine people have little to no recourse. It's a very powerless position to be in. So, that's why we need this bill; so that the Maine facilities who are not operating under these federal transparency rules will, and that Maine people can have the information that they need to make decisions, important decisions, about where and how they access their health care. The federal rules around health care price transparency are only as strong as the individual states' enforcement mechanism, and we don't have one right now. So, as we consider this bill, I would advocate that the only reason for health care facilities to oppose

this measure would be to continue in noncompliance with the federal rules. The bill before us gives appropriate boundaries for the good-faith estimates. It does not say that a good-faith estimate has to be given right this second, it says for a service that you are accessing in a certain amount of time, you should be able to get that estimate in the appropriate timeframe.

I would request that folks on both sides of the aisle follow my light, defeat this pending motion, and give Maine citizens another tool in their toolbelt as they seek to access quality, affordable health care and make educated decisions along that process. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Belfast, Representative Dodge.

Representative **DODGE**: Thank you, Madam Speaker, Men and Women of the House. I rise in opposition to the pending motion and thank the Good Representative from Brunswick for bringing this bill forward.

I rise to speak in favor of transparency and protecting a patient's access to health care pricing. As I understand, this bill reflects most of what is in the federal No Surprises Bill for access and provision of the costs of medical procedures. Our constituents are looking for a clearer understanding of out-of-pocket costs. Our constituents are looking to Members of this Body to help them comparison shop. This should result in savings and that is certainly important to all of us, with the high and ever-rising cost of medical treatments. Thank you, Madam Speaker.

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

Representative **ROEDER**: Thank you, Madam Speaker. I'll be quite brief. This is something that my veterinarian provides to me. If we can provide that range of an estimate for our pets, why aren't we able to do that for our families? I'm in opposition to this motion. Thank you.

The SPEAKER: The Chair recognizes the Representative from Bowdoinham, Representative Cluchey.

Representative **CLUCHEY**: Thank you, Madam Speaker, Colleagues of the House. I rise in support of this motion for a couple of reasons.

One, price transparency for health care providers is important, I think we all agree on that. After almost 10 years of development, federal price transparency rules have finally been adopted and are being implemented. This legislation also deals with price transparency for providers. In some ways, the legislation codifies in State law those federal transparency rules. However, this legislation deviates from the federal standards in ways that make it problematic. If this legislation had mirrored the federal standards, I could've supported the bill. Here are two examples of how it deviates from federal rules and why I am opposed. First, the federal rules have one set of obligations for providers and another set of obligations for health insurance carriers. This bill imposes a different obligation on providers than does the federal law on the exact same topic. This means that providers will have to do one thing for the federal rules and another for the State rules. This is unfair to the regulated community.

Second, this bill would not allow providers to collect payments for medically necessary care. All regulated entities should follow all rules. However, a penalty provision that completely bars any reimbursement for medically necessary care, care the patient voluntarily pursued, is too steep a penalty.

Again, now that the federal government has created an expensive regulatory system for price transparency, the State rules should synthesize with those rules and not establish two sets of requirements on the same topic. Please join me in

supporting the Majority Ought Not to Pass Report and oppose LD 1740.

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

Representative **QUINT**: Thank you, Madam Speaker. I've been pushing away, and we need to check my button, I guess. I rise in opposition to the pending motion. I was on HCIFS last session and we were dealing, on many occasions, with people who were contacting us about price transparency and, specifically for me in my district, I have a large Amish community. And before they have procedures done, they want to have the money up front, they choose not to be in debt to people. Very interesting way to live life. However, when they ask for this amount, they need to be provided that, because then, what they will do is they will go to another State and find out if they can receive that procedure someplace else for less money. Once again, this is for a procedure that you're having done in the future, it's not something that's emergent. But to not have our facilities tell someone what something is going to cost them when it's a medical procedure, which can be extensive, I just do not believe that that's asking too much.

We deviate from the federal government in many of our other laws, in what we do, marijuana or cannabis being an example of that. So, we don't always align with them with every single bill and that seems to be a reason why some people would say that this needs to align with the federal government. But in this area, I truly feel that the transparency issue is so very, very important. How is it that you can go in for a procedure and then you're billed later on and you have no way to argue against that bill because you've already had the procedure done? This information should be available to people in the State of Maine and I am opposed to this motion. Thank you.

The SPEAKER: A roll call has been ordered. The pending question before the House is Acceptance of the Majority Ought Not to Pass Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 404

YEA - Andrews, Bridgeo, Cloutier, Cluchey, Crafts, Craven, Doudera, Fay, Gere, Graham, Hasenfus, Kuhn, Mastraccio, Mathieson, Matlack, Meyer, Moonen, Murphy, Nutting, Pringle, Rana, Roberts, Runte, Sargent, Stover, Swallow, Underwood, Walker, Zager, Zeigler.

NAY - Adams, Ankeles, Arata, Ardell, Arford, Babin, Bagshaw, Beck, Bell, Blier, Boyer, Bradstreet, Campbell, Carlow, Collamore, Collings, Cray, Crockett, Cyrway, Davis, Dhalac, Dill, Dodge, Drinkwater, Ducharme, Dunphy, Eaton, Faulkingham, Foster, Fredericks, Gattine, Gifford, Golek, Gramlich, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hepler, Hobbs, Hymes, Jackson, Jauch, Javner, Kessler, Lajoie, Landry, Lanigan, LaRochelle, Lavigne, Lee, Lemelin, Libby, Lookner, Lyman, Madigan, Malon, Mason, Millett H, Millett R, Milliken, Moriarty, Morris, Ness, Newman, O'Neil, Osher, Parry, Paul, Perkins, Perry A, Perry J, Pluecker, Poirier, Polewarczyk, Pomerleau, Quint, Rielly, Riseman, Roeder, Rudnicki, Russell, Sachs, Salisbury, Sayre, Schmersal-Burgess, Shagoury, Shaw, Sheehan, Simmons, Sinclair, Skold, Smith, Soboleski, Strout, Supica, Theriault, Thorne, Warren, White B, White J, Wood, Woodsome, Madam Speaker.

ABSENT - Abdi, Albert, Boyle, Brennan, Carmichael, Copeland, Costain, Galletta, Geiger, Montell, O'Connell, Sampson, Terry, Williams, Worth.

Yes, 30; No, 106; Absent, 15; Vacant, 0; Excused, 0.

30 having voted in the affirmative and 106 voted in the negative, with 15 being absent, and accordingly the Majority **Ought Not to Pass** Report was **NOT ACCEPTED**.

Subsequently, on motion of Representative PERRY of Calais, the Minority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-819)** 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-819)** and sent for concurrence.

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

Majority Report of the Joint Select Committee on **HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-821)** on Bill "An Act to Establish the Maine Rental Assistance and Guarantee Program and Amend the Laws Regarding Tenants and the Municipal General Assistance Program"

(H.P. 1099) (L.D. 1710)

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:

Senator:

POULIOT of Kennebec

Representatives:

BLIER of Buxton
CAMPBELL of Orrington
MORRIS of Turner

READ.

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

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

Representative **BRADSTREET**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I do not wish to ask for a Roll Call. However, I think it's beneficial sometimes to find out why people object with a particular bill, especially when it goes to a study commission.

I'm certainly not opposed to the formation of a study commission, but there are a couple of things that stand out to me as being lacking in this particular proposal. Any such commission should seek to have a balance of members that fairly and equitably represent varying perspectives on an issue. The makeup of this commission definitely does not do that. Most study groups do try to strike such a balance, but that's not the

case in this one here. Secondly, the wording of the Resolve indicates a presumption of bad faith by some groups who have a minority status in the Committee, and that should not be.

For any finding arising out of the commission work, these two factors will undermine the validity of any conclusions and any possible recommendations that may be offered, and that would be a shame. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Kennebunkport, Representative Gere.

Representative **GERE**: Thank you, Madam Speaker. Madam Speaker, you've heard me speak about the pride that I have in the work of the Housing Committee and focusing in on some of the housing issues that we haven't addressed, and this is one instance where in working with LD 1710, the resulting Resolve really does focus in on a core issue facing so many people in Maine, which is the issue of source of income and how that is treated and accepted by landlords across the State. So, this commission is very much designed intentionally to incorporate all of the various perspectives on the commission and including two representatives from the landlord community who work with housing choice vouchers. And I think that's a really important component of this, in addition to focused membership on folks with lived experience, housing advocates and folks who are working effectively to bring together tenants and landlords to have successful tenancies. So, I look very much forward to the results of this study, which are due in the fall and will enable further constructive work on resolving a key issue facing Maine in the housing sector. Thank you.

Subsequently, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-821)** 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-821)** and sent for concurrence.

CONSENT CALENDAR

First Day

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

(S.P. 859) (L.D. 2031) Bill "An Act to Make Technical Changes to the State's Marine Resources Laws" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-558)**

(S.P. 932) (L.D. 2193) Bill "An Act to Improve Access to Affordable Wireless Communications by Allowing the Public Utilities Commission to Designate Eligible Telecommunications Carriers" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-562)**

(H.P. 1355) (L.D. 2131) Bill "An Act to Support Extended Learning Opportunities" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass**

(H.P. 268) (L.D. 435) Resolve, to Ensure the Provision of Medically Necessary Behavioral Health Care Services for Children in Their Homes and Communities (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-816)**

(H.P. 1380) (L.D. 2156) Bill "An Act to Authorize the Provision of Emergency Medical Treatment for Certain Dogs" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-820)**

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

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

ENACTORS

Acts

An Act Concerning Housing and Support Services for At-risk Youth and Youth Involved in the Juvenile Justice System

(H.P. 186) (L.D. 288)

(C. "A" H-804)

An Act to Identify the State's Unidentified Human Remains

(H.P. 527) (L.D. 838)

(C. "A" H-807)

An Act Regarding the General Assistance Program

(H.P. 1111) (L.D. 1732)

(C. "A" H-805)

An Act to Delay Implementation of Electronic Visit Verification for Hospice Providers Within the MaineCare Program

(H.P. 1317) (L.D. 2055)

(C. "A" H-806)

An Act to Make Technical Corrections to the Maine Juvenile Code, the Maine Criminal Code and the Intelligence and Investigative Record Information Act

(H.P. 1381) (L.D. 2161)

An Act to Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Calendar Year Ending December 31, 2025

(H.P. 1404) (L.D. 2190)

(C. "A" H-802)

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.

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

REPORTS OF COMMITTEE

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

Representative **ROBERTS** for the **Joint Standing Committee on Innovation, Development, Economic Advancement and Business** on Bill "An Act to Implement Recommendations Resulting from the State Government Evaluation Act Review of the Department of Professional and Financial Regulation"

(H.P. 1454) (L.D. 2265)

Reporting that it be **REFERRED** to the Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** 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 **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** and sent for concurrence.

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

On motion of Representative MORRIS of Turner, the House adjourned at 1:08 p.m., until 10:00 a.m., Thursday, March 14, 2024, in honor and lasting tribute to Roland J. Cowett of Caribou and Eva Dudley Leavitt of Turner.