

MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE
SECOND REGULAR SESSION
28th Legislative Day
Thursday, March 21, 2024

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

Prayer by Reverend Lori Whittemore, Unitarian Universalist Church of Saco-Biddeford, Saco.

National Anthem by Honorable John "Jack" E. Ducharme, Madison.

Pledge of Allegiance.

Medical Provider of the Day, Sheila Foley, PA-C, Poland.

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

The Journal of yesterday was read and approved.

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

CONSENT CALENDAR

First Day

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

(S.P. 901) (L.D. 2108) Bill "An Act to Amend Maine's Charitable Organization Gaming Laws" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-582)**

(S.P. 913) (L.D. 2117) Bill "An Act to Amend the Laws Regarding Sports Wagering Licensing" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-583)**

(H.P. 1427) (L.D. 2226) Resolve, Regarding Legislative Review of Chapter 213: Rules for the Salmonella Enteritidis Risk Reduction and Surveillance Program for Commercial Egg-type Flocks, a Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry (EMERGENCY) Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-841)**

(H.P. 1437) (L.D. 2237) Bill "An Act to Strengthen Public Safety, Health and Well-being by Expanding Services and Coordinating Violence Prevention Resources" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-840)**

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 as Amended** and sent for concurrence.

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

ENACTORS
Emergency Measure

An Act to Establish the Maine Commission on Public Defense Services and Establish Public Defender Offices for Aroostook, Penobscot and Piscataquis Counties

(S.P. 270) (L.D. 653)
(C. "A" S-579)

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

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

Representative **MOONEN**: Thank you, Madam Speaker. Madam Speaker, Colleagues of the House, I wanted to rise for a moment just to make a few comments about the work that has gotten this bill to this point. Our State is in a constitutional crisis with people who are facing charges and do not have attorneys to represent them. We, on the Judiciary Committee, have been working very hard for a long time. We all acknowledge this crisis. We have done really good work together, almost always unanimously, but certainly always bipartisanly, to address this crisis. We, as a Body, established our first Public Defender Office in Kennebec County last year. It is up and running. We have heard nothing but glowing feedback about how that is working in Kennebec County to get people representation who we are constitutionally obligated to provide.

This bill in front of us again is the work of unanimous, really diligent work on the behalf of our Committee to take the next step and get Public Defender Offices up and running in the counties that are in greatest crisis right now in terms of people facing charges without an attorney to represent them. Those counties are Aroostook, Penobscot and Piscataquis. This bill accomplishes this without new money. It does so by transferring existing funds. We obviously have more work to do ahead of us. There are other counties that aren't in a position to have this yet, but we are hopeful that this will happen.

I just want to take a moment to thank several people who got us to this point, starting with the Representative from Skowhegan, Representative Poirier. We worked this plan out together to get this bill to this point. I want to thank the Senator from Oxford, Senator Keim, for allowing us to use her bill as a vehicle for this important work while also preserving some of the original intent of her bill. Finally, I want to thank the Representative from Rumford, Representative Henderson, for the final amendment that landed the plane.

This is really, really critical that we get this done and that we get these folks attorneys, not only so that they can be represented, but so that those who are victims can also get justice and so that everyone can get their day in court. And I also want to thank the folks on the Appropriations Committee who have been working with us to get this across the finish line. This is an extraordinary step that we should all be proud of. We have a lot more to do, but this is a great start. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Skowhegan, Representative Poirier.

Representative **POIRIER**: Thank you very much, Madam Speaker. I, too, want to rise and say that I completely agree with everything the Good Representative just said. This is a bill that, unlike most others, we were all backing and pushing for this to happen. The Commission has identified these areas as the greatest need and this bill is a step forward to help Maine become closer to our constitutional obligation to provide counsel. So, we're very excited to see this through and I, too, thank everybody for their cooperation and collaboration to get this to happen. It does change the name, which we all know,

through MCILS, to the Maine Commission on Public Defense Services, which we believe more accurately also reflects the services that they provide. So, thank you very much.

Subsequently, this being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 118 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, to Establish the Task Force to Support Commercial Dairy Farms in the State

(S.P. 511) (L.D. 1274)
(C. "A" S-577)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 120 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act to Ensure the Workers' Compensation Board's Allocations Are Properly Funded

(S.P. 927) (L.D. 2176)
(C. "A" S-575)

An Act to Clarify the Definition of "Underground Facility" and Reduce Administrative Burdens Under the So-called Dig Safe Law

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

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

Resolves

Resolve, to Prepare Preapproved Building Types

(S.P. 697) (L.D. 1752)
(C. "A" S-578)

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

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act to Establish a State Minimum Hourly Wage for Agricultural Workers"

(H.P. 1462) (L.D. 2273)

Sponsored by Speaker TALBOT ROSS of Portland. (GOVERNOR'S BILL)

Cosponsored by Senator TIPPING of Penobscot and Representative: ROEDER of Bangor.

Committee on **LABOR AND HOUSING** suggested and ordered printed.

REFERRED to the Committee on **LABOR AND HOUSING** and ordered printed.

Sent for concurrence.

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Noah Hurd, of Waldo, a student at Mount View High School and a member of the boys basketball team, who recently scored his 1,000th career point. We extend our congratulations and best wishes;

(HLS 900)

Presented by Representative HYMES of Waldo.

Cosponsored by Senator CURRY of Waldo.

On **OBJECTION** of Representative HYMES of Waldo, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

In Memory of:

Audrey Todd Burns, of Gray. Mrs. Burns was a teacher, an active church member and a scout leader. She also worked as Editor of the Gray News and was a co-owner of the Ladyslipper Flower Shop. In retirement, she worked as a classroom aide to Russell School kindergarteners. She was a dedicated volunteer and advocate for the town, receiving a Lifetime Achievement Award from the Town of Gray for extraordinary public service in 2018 and 2019. She was a founding member of St. Gregory's Catholic Church and The Gray News, member and Chair of the Town Council, member of the School Board, Meals on Wheels driver and dedicated volunteer for the Gray Food Pantry and Gray Historical Society. Mrs. Burns will be long remembered and sadly missed by her family and friends and all those whose lives she touched;

(HLS 901)

Presented by Representative GRAHAM of North Yarmouth.

Cosponsored by Senator PIERCE of Cumberland, Representative ARATA of New Gloucester.

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

READ.

The SPEAKER: The Chair recognizes the Representative from North Yarmouth, Representative Graham.

Representative **GRAHAM**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I had the honor of knowing Audrey Todd Burns. She passed away at 91 years of age and as you see in her Memoriam, she was a very busy lady. One would say that she was a true pillar of the community, and she was. I met Audrey about 15 years ago when I first got to know the community of Gray. I also worked with her at the Gray Food Pantry. I just want to repeat what the Clerk stated was that Mrs. Burns, Audrey, will be long remembered and sadly missed by her family and friends, her entire community and all those lives she touched. Thank you, Madam Speaker.

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

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

Representative ANKELES: Thank you, Madam Speaker. We don't have the Sentiment before us because it's still in the other Body, but I did want to acknowledge what we talked about before, which is that we have the Class A Girls Champion Brunswick Dragons, who just defeated Cony to win their first-ever championship for Brunswick. And I've got two kids in school, they are both in awe of this team and so many kids throughout town are so excited to see what they did and they are role models for a lot of young women and also young boys across the State and across our town. So, I just want to acknowledge all the great hard work that they've done and what a great season they had. So, thank you, Madam Speaker.

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

Representative ARFORD: Thank you, Madam Speaker. I also stand to recognize the Brunswick High School Girls Basketball Team, and I am compelled to stand to recognize them because my daughter, who is now in law school, 29 years old, played for this coach, for this high school, 15 years ago. And I know how hard the coach and the team has worked since that point in time to get to where they are now and they deserve all the recognition they're receiving. If you haven't had a chance to see their gold ball, I highly recommend that you take a moment if you can find them in the hallway, because it's absolutely beautiful. Congratulations, Brunswick High School Girls Basketball Team.

COMMUNICATIONS

The Following Communication: (H.C. 456)

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

March 21, 2024
Honorable Rachel Talbot Ross
Speaker of the House
2 State House Station
Augusta, Maine 04333

Dear Speaker Talbot Ross:
Pursuant to Joint Rule 310, the Committee on Transportation has approved the request by the sponsor, Senator Chipman of Cumberland, to report the following "Leave to Withdraw:"

L.D. 875 An Act to Allow Mini-trucks to Be Operated on Roads in the State

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

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

The Following Communication: (H.C. 457)

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

March 21, 2024
Honorable Rachel Talbot Ross
Speaker of the House
2 State House Station
Augusta, Maine 04333

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

Health and Human Services
L.D. 1575 An Act to Promote Quality and Innovation in Nursing and Residential Care Facilities

L.D. 2200 Resolve, to Attract and Retain Behavioral Health Clinicians

L.D. 2223 Resolve, to Direct the Department of Health and Human Services to Amend Rules and Establish a Study Group Related to Funding and Reimbursement for Mental Health Crisis Resolution Services

Veterans and Legal Affairs
L.D. 48 An Act to Clarify Provisions of the Cannabis Legalization Act Regarding Labels, Packaging and Testing

L.D. 2232 An Act to Limit Contributions to Political Action Committees That Make Independent Expenditures

Sincerely,
S/Robert B. Hunt
Clerk 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 LAJOIE of Lewiston, the following House Order: (H.O. 46)

ORDERED, that Representative Valli D. Geiger of Rockland be excused Mar 12 and 13 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Marc G. Malon II of Biddeford be excused Mar 12 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Rebecca J. Millett of Cape Elizabeth be excused Mar 19 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Karen L. Montell of Gardiner be excused Mar 12, 13 and 14 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Daniel J. Newman of Belgrade be excused Mar 14 and 19 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Kevin J. M. O'Connell of Brewer be excused Mar 12 and 13 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Stephen J. Wood of Greene be excused Mar 14 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative J. Mark Worth of Ellsworth be excused Mar 13 for personal reasons.

READ and PASSED.

REPORTS OF COMMITTEE

Refer to the Committee on Health and Human Services Pursuant to Resolve

Report of the **The Joint Standing Committee on Health and Human Services** on Bill "An Act to Protect the Fund for a Healthy Maine"

(S.P. 969) (L.D. 2249)

Reporting that it be **REFERRED** to the Committee on **HEALTH AND HUMAN SERVICES** pursuant to Resolve 2023, chapter 100, section 7.

Came from the Senate with the Report **READ** and the Bill and accompanying papers **INDEFINITELY POSTPONED**.

The Report was **READ**.

The Bill and accompanying papers were **INDEFINITELY POSTPONED** in concurrence.

Ought to Pass as Amended

Report of the Committee on **VETERANS AND LEGAL AFFAIRS** on Bill "An Act to Strengthen the Maine Veterans' Homes with Increased and Ongoing Funding"

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

Reporting **Ought to Pass as Amended by Committee Amendment "A" (S-571)**.

Came from the Senate with the Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-571) AS AMENDED BY SENATE AMENDMENT "A" (S-585)** thereto.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-571)** was **READ** by the Clerk.

Senate Amendment "A" (S-585) to **Committee Amendment "A" (S-571)** was **READ** by the Clerk and **ADOPTED**.

Committee Amendment "A" (S-571) as Amended by Senate Amendment "A" (S-585) thereto 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-571) as Amended by Senate Amendment "A" (S-585)** thereto in concurrence.

Divided Reports

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-580)** on Bill "An Act to Replace the Money Transmitters Act"

(S.P. 905) (L.D. 2112)

Signed:

Senator:

BAILEY of York

Representatives:

- PERRY of Calais
- ARFORD of Brunswick
- CLUCHEY of Bowdoinham
- CYRWAY of Albion
- MASTRACCIO of Sanford
- MATHIESON of Kittery
- MORRIS of Turner
- NUTTING of Oakland
- PRINGLE of Windham
- SWALLOW of Houlton

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

Signed:

Senator:

BRAKEY of Androscoggin

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-580)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-580)** 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-580)** in concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought Not to Pass** on Bill "An Act to Establish a Tax Credit for Employers Who Employ Persons Recovering from Substance Use Disorder"

(S.P. 772) (L.D. 1900)

Signed:

Senators:

- GROHOSKI of Hancock
- LIBBY of Cumberland

Representatives:

- PERRY of Bangor
- HASENFUS of Readfield
- MATLACK of St. George
- QUINT of Hodgdon
- RANA of Bangor
- RUDNICKI of Fairfield

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-581)** on same Bill.

Signed:

Representative:

CARMICHAEL of Greenbush

Came from the Senate with the Majority **OUGHT NOT TO PASS** Report **READ** and **ACCEPTED**.

READ.

On motion of Representative MATLACK of St. George, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act to Clarify the Minimum Sentencing Standards for a Violation of Operating Under the Influence"

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

Signed:

Senators:

BEEBE-CENTER of Knox
HARRINGTON of York

Representatives:

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

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

Signed:

Representative:

MILLIKEN of Blue Hill

READ.

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

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass pursuant to the Maine Revised Statutes, Title 37-B, section 3, subsection 1, paragraph D, subparagraph (25)** on Bill "An Act to Fund Military Sexual Trauma Liaison Positions at Community-based Organizations"

(H.P. 1453) (L.D. 2263)

Signed:

Senators:

HICKMAN of Kennebec
BRENNER of Cumberland
TIMBERLAKE of Androscoggin

Representatives:

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

Minority Report of the same Committee reporting **Ought Not to Pass pursuant to the Maine Revised Statutes, Title 37-B, section 3, subsection 1, paragraph D, subparagraph (25)** on same Bill.

Signed:

Representatives:

HYMES of Waldo
RUDNICKI of Fairfield

READ.

On motion of Representative SUPICA of Bangor, the Majority **Ought to Pass pursuant to the Maine Revised Statutes, Title 37-B, section 3, subsection 1, paragraph D, subparagraph (25)** 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.

Seven Members of the Committee on **HEALTH AND HUMAN SERVICES** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-842)** on Bill "An Act to Prohibit Tobacco Sales near Schools"

(H.P. 1383) (L.D. 2157)

Signed:

Senators:

BALDACCI of Penobscot
INGWERSEN of York

Representatives:

MEYER of Eliot
CRAVEN of Lewiston
GRAHAM of North Yarmouth
SHAGOURY of Hallowell
ZAGER of Portland

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

Signed:

Representatives:

FREDERICKS of Sanford
GRIFFIN of Levant
JAVNER of Chester
LEMELIN of Chelsea

Two Members of the same Committee report in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-843)** on same Bill.

Signed:

Senator:

MOORE of Washington

Representative:

MADIGAN of Waterville

READ.

On motion of Representative MEYER of Eliot, **TABLED** pending **ACCEPTANCE** of any Report and later today assigned.

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

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

SENATE PAPERS

The following Joint Order: (S.P. 989)

ORDERED, the House concurring, that when the Senate and House adjourn, they do so until Monday, March 25, 2024, at 10:00 in the morning, or until the call of the President of the Senate and the Speaker of the House, respectively.

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

READ and **PASSED** in concurrence.

Bill "An Act to Ensure That Rules Regarding the Atlantic States Marine Fisheries Commission Are Major Substantive Rules"

(S.P. 991) (L.D. 2275)

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

REFERRED to the Committee on **MARINE RESOURCES** in concurrence.

ENACTORS

Acts

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

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

(C. "A" H-840)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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

On motion of Representative GRAHAM of North Yarmouth, the House adjourned at 11:51 a.m., until 10:00 a.m., Monday, March 25, 2024, or until the call of the Speaker of the House and the President of the Senate, respectively, pursuant to the Joint Order (S.P. 989) and in honor and lasting tribute to Audrey Todd Burns of Gray.