

MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE
SECOND REGULAR SESSION
30th Legislative Day
Wednesday, March 27, 2024

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

Prayer by Robert Sapero, Green Acre Baha'i, Eliot.
National Anthem by Marshwood Sixth Grade Chorus, Eliot.
Pledge of Allegiance.

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

The Journal of Monday, March 25, 2024 was read and approved.

The SPEAKER: As we start our day together, I want to start out by thanking each and every one of you and sharing the wonderful news that our friend and colleague, Representative Mike Brennan, is doing well and recuperating at home. He and his wife, Joan, shared how grateful they were to receive all the well wishes and the support from those here in Augusta and in their community. Rest assured, Representative Brennan will be resuming his full duties in the House in the next couple of days.

On behalf of the Chamber, I want to thank everyone involved in yesterday's response. While we were so fortunate that no great harm occurred to any one of us, the need for urgent, swift and clear communications and immediate medical care became a reality. First, I'd like to thank Dr. Sam Zager, Dr. Jane Pringle and our Doctor of the Day, and the other Members, both Democrats and Republicans, who were able to quickly assess the situation and provide care. Thank you.

I want to also recognize all of the people sitting in this Chamber. I'll be honest, it was frightening yesterday when I walked in, and a reminder of how quickly a typical morning can easily become a crisis. We all moved quickly, followed the directions necessary, banded together with care and concern for Representative Brennan. We shared prayers, and I want to thank Representative Babin. I want to thank the Reverend Beck, who was here. We shared our prayers and our concerns and we treated the situation with the seriousness and the respect for privacy that it deserved.

I want to thank our Capitol security, the Augusta Fire Department, and the first responders who responded to our urgent call. Amidst hundreds of people and ringing bells, they were calm, they were reassuring, and that ensured that Representative Brennan was able to walk out of this Chamber and made it to the hospital for the best care possible.

Finally, I know that you join me in thanking our Chamber Staff; the Clerk, Rob Hunt; our Assistant Clerk, Michelle Dunphy; all of the Chamber Staff. You put yourselves on the line. You do this every day. Every single day, you do this in this room. You deserve the utmost recognition both for your actions yesterday and every single day. Without you, this Body would not function and, on behalf of Representative Brennan and the entire House of Representatives, we thank you.

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

ORDERS

On motion of Representative ABDI of Lewiston, the following Joint Resolution: (H.P. 1465) (Cosponsored by Senator ROTUNDO of Androscoggin and Representatives: DHALAC of South Portland, OSHER of Orono, RANA of Bangor, Speaker TALBOT ROSS of Portland, ZAGER of Portland, Senators: BRENNER of Cumberland, DUSON of Cumberland)

JOINT RESOLUTION RECOGNIZING THE MUSLIM CELEBRATION OF THE HOLY MONTH OF RAMADAN

WHEREAS, Ramadan is the 9th month in the Islamic calendar, a significant holy month in the Islamic faith and a month of sacrifice in which Muslims fast the entirety of the month, abstaining from food and drink from sunrise to sunset; and

WHEREAS, commencement of Ramadan begins on the evening of March 10, 2024, and Ramadan continues for one lunar month; and

WHEREAS, Ramadan is the holy month when millions of Muslims in the United States fast not only to renew themselves spiritually but also to recognize their responsibility and obligations to society at large and to take care of those less fortunate, regardless of their religious or racial background; and

WHEREAS, Muslims in Maine contribute greatly to charitable organizations that help people from all faith backgrounds and have also contributed greatly to society, serving as medical professionals, teachers, first responders, journalists, writers, artists, athletes, small business owners, professors, activists, community leaders and elected public officials; and

WHEREAS, Muslims in Maine have a long history of contributions to our State, including the building of one of the first mosques in North America in Biddeford in 1915; and

WHEREAS, Eid al-Fitr is celebrated by Muslims worldwide as the day that marks the end of the month-long sunrise-to-sunset fasting of Ramadan; 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, in observance of and out of respect for the commencement of Ramadan, the Muslim holy month of fasting, prayer, charity, reflection and spiritual renewal, take this opportunity to recognize the onset of Ramadan and express our deepest respect to Muslims in Maine and throughout the world on this significant occasion; and be it further

RESOLVED: That We extend best wishes to all those of Muslim faith in Maine, the United States and across the world for a joyous and meaningful observance of Eid al-Fitr.

READ.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Abdi.

Representative **ABDI**: Thank you, Madam Speaker. *As-salāmu 'alaykum wa-rahmatu-llāhi wa-barakātuh*, Madam Speaker, and Honored Members of the House, *Ramadan Kareem*. I stand today to recognize the commencement of Ramadan, the ninth month of the Islamic lunar calendar, which holds deep spiritual and cultural significance for Muslim worldwide. During Ramadan, Muslim fast from dawn to sunset, refraining from food, smoking and other physical needs. The act demonstrates self-discipline, empathy for the less fortunate and a higher sense of spirituality. Fasting during Ramadan is also about cultivating patience, gratitude and mindfulness. Beyond the physical act of fasting, Ramadan fosters a sense of unity and compassion within the Muslim community. Families gather for

pre-dawn meals, *suhoor*, and break their fasts together at sunset, *iftar*. These shared meals strengthen family bonds and serve as opportunity for reflection, gratitude and generosity. Muslims are encouraged to increase the act of charity, also known as *zakaat*, assist the less fortunate and support community initiatives aimed at alleviating poverty and hardship. Ramadan is also a time for spiritual reflection and increased devotion to prayer. Muslims dedicate extra time to reading the Quran, attending mosque services and engaging in acts of worship, seeking guidance, forgiveness and spiritual purification.

As we reflect on the significance of Ramadan, let us recognize the universal value of self-discipline, compassion, generosity and spiritual renewal. A key aspect of this month is service to others. We must commit a culture of respect and understanding of those in our communities. Regardless of our religious or cultural background, we can all draw inspiration from the principle of Ramadan to cultivate a greater sense of empathy, solidarity and mindfulness in our lives. I urge us all to embrace the spirit of Ramadan, deepen our understanding of one another and foster a more inclusive and compassionate society. Let us celebrate the diversity of our community and strive to uphold the principle of justice, equity and peace for all. *As-salāmu 'alaykum wa-rahmatu-llāhi wa-barakātuh*; may you all be safe from evil and the mercy of Allah and his blessing be upon you all. Thank you.

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

Representative **RANA**: Thank you, Madam Speaker, and thank you to the Good Representative from Lewiston for her remarks.

As-salāmu 'alaykum, Madam Speaker. A greeting that means, peace be unto you. Faith plays a large role in my life and in the lives of many of us in this room. Whether we are part of an organized religion, consider ourselves to be spiritual or consistently believe in a hope for a better tomorrow, we all have faith and we are all shaped by that faith. For me, as a proud Muslim, my faith calls me to observe the Holy Month of Ramadan. And today, Madam Speaker, I rise to extend best wishes to Muslims in Maine and across the United States as they, too, observe Ramadan. Ramadan is our holiest month and ends with a festival of celebration. It is a time of intense devotion and reflection, when families and friends gather over shared meals and discuss how we can be kinder to one another each day and work together to advance justice and prosperity for all people within our communities.

Maine's Muslim community is rich in diversity and spread across our State from Presque Isle to Sanford. My father, who moved to Maine in the late '80s, helped to fund and build the mosque in our community. It started in the early 2000s as a double-wide trailer on a small plot of land and since has developed into a beautiful building that hosts people of all backgrounds, provides a home away from home for college students and fosters community connection. For those new to the area, the mosque has been a place where they can get their footing and begin to build lifelong friendships. The Islamic Center of Maine in Orono is a beloved institution in the greater Bangor area, where people of all faiths and backgrounds are welcome to learn from their neighbors.

Many Muslims across our State are fasting today, which is a concept held by many faiths. Fasting, along with focusing on growth, acceptance and prayer and community are the pillars that comprise Ramadan and is the basis for our religion as a whole. And while we continue to practice these pillars, we do so somberly, for during this Holy Month, we also share the suffering

of our Muslim communities abroad and carry with us the loss and pain as a result of ongoing conflict and unrelenting displacement faced by millions around the world.

I ran for the Legislature because I believe in a world where peace is possible, where we can recognize each other's differences, yet still come together in community for the betterment of our State. So, to those observing Ramadan over the next month, *Ramadan Mubarak*, and thank you.

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

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

**CONSENT CALENDAR
First Day**

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

(S.P. 331) (L.D. 772) Bill "An Act to Establish a Process to Vest Rights for Land Use Permit Applicants" Joint Select Committee on **HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-600)**

(S.P. 828) (L.D. 2006) Bill "An Act to Amend the Laws Regarding Adjustments for Sudden and Severe Disruption of Municipal Valuation" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-606)**

(S.P. 882) (L.D. 2089) Bill "An Act to Require Schools to Provide Instruction Regarding Prevention of the Illegal Use of Fentanyl and Other Drugs and Drug Poisoning Awareness in Grades 6 to 12 and to Establish Drug Poisoning Awareness Week" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-607)**

(S.P. 883) (L.D. 2090) Bill "An Act to Modernize and Consolidate Certain Court Facilities" Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-605)**

(S.P. 890) (L.D. 2097) Resolve, to Establish a Pilot Project to Alleviate the Staffing Crisis in the Child Protective Services System (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-609)**

(S.P. 897) (L.D. 2104) Bill "An Act to Amend the Charter of the Wiscasset Water District" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-599)**

(S.P. 920) (L.D. 2169) Bill "An Act to Support the Development of Workforce Housing to Promote Economic Development in Maine" Joint Select Committee on **HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-601)**

(S.P. 964) (L.D. 2242) Bill "An Act to Set a Debt Limit for the Anson and Madison Water District" (EMERGENCY) Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-598)**

(S.P. 972) (L.D. 2254) Bill "An Act to Clarify Permissible Election and Lobbying Expenditures by Consumer-owned Water Utilities" (EMERGENCY) Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-610)**

(H.P. 497) (L.D. 808) Bill "An Act to Amend Laws Affecting Tuition at State-approved Schools" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-860)**

(H.P. 897) (L.D. 1402) Bill "An Act to Provide an Additional Allocation in the School Funding Formula to Cover Tax-exempt Property or a Large Economically Disadvantaged Student Population" (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-859)**

(H.P. 1304) (L.D. 2042) Bill "An Act to Update the Laws Governing Education in the Unorganized Territory" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-861)**

(H.P. 1360) (L.D. 2136) Bill "An Act to Provide Financial Support for Shelters for Unhoused Individuals" Joint Select Committee on **HOUSING** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-862)**

(H.P. 1395) (L.D. 2180) Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty-Two, a Major Substantive Rule of the Department of Education (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-858)**

(H.P. 1397) (L.D. 2182) Resolve, Regarding Legislative Review of Portions of Chapter 132: Learning Results: Parameters for Essential Instruction, a Major Substantive Rule of the Department of Education (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-857)**

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**.

**REPORTS OF COMMITTEE
Ought to Pass Pursuant to Public Law**

Report of the **Joint Standing Committee on Energy, Utilities and Technology** on Bill "An Act to Require Public Safety Answering Point and Dispatch Center Cost Reporting and to Direct the Formation of a Staffing and Recruiting Stakeholder Group"

(S.P. 993) (L.D. 2278)

Reporting **Ought to Pass** pursuant to Public Law 2023, chapter 186, section 3.

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

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

The Bill was **READ ONCE**.

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

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

Ought to Pass Pursuant to Resolve

Representative CRAFTS for the **Joint Standing Committee on Transportation** on Bill "An Act to Reconvene a Driver Education Working Group to Evaluate Hardships to Underserved Populations and Low-income Families" (EMERGENCY)

(H.P. 1467) (L.D. 2281)

Reporting **Ought to Pass** pursuant to Resolve 2023, chapter 94, section 6.

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

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:

William Shane, of Cumberland, on his retirement after 21 years of service as Town Manager of Cumberland. A graduate of the University of Maine at Orono with a degree in civil engineering, Mr. Shane began his career with the town in March 2003 after having held municipal positions in Wiscasset and Yarmouth for 17 years. He was named Citizen of the Year by the Cumberland-North Yarmouth Lions Club. He is also the founder and leader of the Cumberland Community Food Pantry alongside his wife, Linda. We extend our congratulations and best wishes;

(SLS 1684)

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

READ.

The **SPEAKER**: The Chair recognizes the Representative from Cumberland, Representative Moriarty.

Representative **MORIARTY**: Thank you, Madam Speaker, and good morning to my Fellow Members of the House. Today, we give honor and thanks to Bill Shane, who will shortly retire after having served as Cumberland's Town Manager for over 21 years. This is a bittersweet moment for me, both as a resident of the town and as a friend. While I am happy to present the greetings and gratitude of Maine's largest assembly of elected officials, there are also feelings that this moment has come all too soon.

Before coming to the Legislature, I served for over 20 years in the Town Council. Occasionally, someone will ask, what was the most important thing you did on the Council, or what decision did you make that gives you the greatest pride? When that happens, I have a standard reply; I voted to hire Bill Shane as Town Manager.

Bill graduated from Deering High and enrolled in the University of Maine at Orono, where he earned a degree in Civil Engineering. By the way, if any of your communities are searching for a manager, I strongly recommend an applicant with an engineering background. Bill served as Wiscasset's Town Engineer and then worked for Yarmouth for 14 years as both the Engineer and Public Works Administrator. You may

already have sensed a professional theme. When the members of the Council interviewed Bill for the job in 2003, he told us straight up front that public service is my passion. And he demonstrated that commitment and dedication every day that he came to work at Town Hall.

Bill's accomplishments are too numerous to mention individually. We have better roads, many more sidewalks and a greatly extended public water system than we did when he first arrived. We were guided by a steady hand through the complexities of the secession of Chebeague Island from the town in 2007. We have placed hundreds of acres of open space and wildlife habitat into town ownership, which will preserve public recreational opportunities for years to come. Bill and his wife, Linda, through countless hours of hard work, created the community food pantry in the lower level of Town Hall, which continues to serve not only the needs of Cumberland, but also those of the neighboring communities of North Yarmouth, New Gloucester and Pownal.

In short, Bill has earned the respect and admiration of his peers, of town employees and of the residents he has so faithfully served. With heartfelt thanks, we wish him many years of satisfaction with a job well done. Congratulations, Bill.

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

Recognizing:

Addison Verrill, of Pittsfield, a senior at Maine Central Institute, who is a recipient of a 2024 Principal's Award for outstanding academic achievement and citizenship, sponsored by the Maine Principals' Association. We extend our congratulations and best wishes;

(HLS 907)

Presented by Representative COLLAMORE of Pittsfield.

Cosponsored by Senator FARRIN of Somerset.

On **OBJECTION** of Representative COLLAMORE of Pittsfield, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

the Maine Central Institute One Act Drama Team, of Pittsfield, which won the 2024 Class B Regional One Act Championship. We extend our congratulations and best wishes;

(HLS 908)

Presented by Representative COLLAMORE of Pittsfield.

Cosponsored by Senator FARRIN of Somerset.

On **OBJECTION** of Representative COLLAMORE of Pittsfield, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Recognizing:

Yousif Ibrahim, of Augusta, who recently was awarded the opportunity to play on the Iraq U20 National Soccer Team. We extend our congratulations and best wishes;

(HLS 910)

Presented by Representative BRIDGEO of Augusta.

Cosponsored by Senator DUSON of Cumberland, Senator POULIOT of Kennebec, Representative LaROCHELLE of Augusta.

On **OBJECTION** of Representative BRIDGEO of Augusta, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **BRIDGEO**: Thank you, Madam Speaker, Members of the House. I rise today to honor a constituent of mine, Yousif Ibrahim. Yousif is a senior at Cony High School here in Augusta. He was recently called up to play for the Iraq Under-20 National Team.

When Yousif left home to make the journey to Iraq to try out for the team, he said; "I know there's going to be a lot of players from outside the country, but I know I'm prepared for whatever. I know I'm going to go there and will just have to perform and to play to my best." And did he ever play to his best. Yousif was awarded one of just 20 roster spots on a roster full of talent. In the process, not only did he make his family proud, he made his community here in Augusta proud.

I would be remiss if I didn't mention Yousif's accomplishments in the classroom. Because of the tryout, he had to miss a month of school at Cony, but he was so ahead in his courses, he was on pace to graduate six months early. So, not only does he excel on the field, where he was named a Regional All-Star by the Maine Soccer Coaches' Association, but also in the classroom. Yousif is the epitome of a student athlete.

I am ecstatic for Yousif and his family. It could not have been easy for them moving to Maine, starting over in a new place, in a new country. During my time as Augusta City Manager, I worked with the Capitol Area New Mainers Project, which welcomes and assists new Mainers, and I often saw the difficulties in adjustment many face. We are so lucky to have Yousif and his family in Augusta and I wish Yousif all the best in his future endeavors, not only in soccer, but in life. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Augusta, Representative LaRochele.

Representative **LaROCHELLE**: Thank you, Madam Speaker. I just wanted to say that Yousif was on my son's soccer team at Cony and when we're talking about an incredible soccer player, he is certainly it. I am really happy that he and his family were able to come to the State House today and see what goes on here, and I wish him the best of luck in his endeavors in Iraq, but I hope that when he is done and ready to go to college, that he considers coming back to Maine to do that. Thank you, Madam Speaker.

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

In Memory of:

Martha Farrington Huotari Mayo, of Bath. Mrs. Mayo taught at Morse High School in Bath, where she taught English and also directed the variety show Mohiba and coached the swim team. She later filled in as an elementary school music teacher, taught weekly music classes at West Bath Elementary School, taught English for a year at Bath Junior High School and tutored homebound students. In 1975, she led carols for and then took over the Sing! It's Christmas event. She worked for Bath Iron Works in the Workers' Compensation Department, where she became a certified rehabilitation counselor. She retired from Bath Iron Works in 1995 and then went to work for the Workers' Compensation Coordinating Council as executive director until 2010, when she retired again. In 1997, she and friends started the Hot Chocolate Jubilee, a community variety show that took place biannually at the Chocolate Church. Over the years, Mrs. Mayo was involved in countless organizations within her community. She served on the board and was president of Sagadahoc Preservation Inc., Maine Historic Preservation and Elmhurst, Inc. She was part of the committee that formed Main Street Bath and subsequently served as a board member and secretary. She also served as a board member and recording secretary of The Children's Schoolhouse. She was proud to be one of the first two female Chalice Bearers at Grace Episcopal Church, started a youth choir there before her daughters were born, served on the Vestry and sang tenor in the choir for decades. With Sagadahoc Preservation Inc., she enjoyed visiting fourth grade classes to teach about local architecture. She organized many events in and for Downtown Bath, including strolling carolers and the Paul Revere Bell Ringing, an event for which she rewrote the lyrics to "Auld Lang Syne" to tell the history of that special bell at City Hall. She chaired the Squirrel Island Association and was a member of the Board of Overseers. She was very devoted to the Squirrel Island Historical Society and chaired it twice. She was secretary of the Squirrel Island Chapel Association for several years, later served as the Music Director and sang in the choir. Mrs. Mayo will be long remembered and sadly missed by her family and friends and all those whose lives she touched;

(SLS 1685)

On **OBJECTION** of Representative HEPLER of Woolwich, was **REMOVED** from the Special Sentiment Calendar.

READ.

The **SPEAKER**: The Chair recognizes the Representative from Woolwich, Representative Hepler.

Representative **HEPLER**: Thank you, Madam Speaker. This woman, Martha Mayo, was magic. If you can believe it, she talked me into dipping my toes into community theater, which involved dancing. It was a short-lived career, but I did have a blast. More recently, she periodically would pull me into a group of local elected officials to perform a line dance in the Hot Chocolate Jubilee, which involved sailor hats, tambourines; which included hitting the person to my left and to my right on the head with the tambourine. I am grateful she pulled me way out of my comfort zone and I will miss her. Thank you.

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

In Memory of:

Vincent Mattia, of Old Orchard Beach, a sergeant with the Old Orchard Beach Police Department. Sergeant Mattia joined the department in 1981 as a reserve officer and began working full time in 1983. During his 43-year career, he held the positions of patrol officer, detective, sergeant, detective sergeant and administrative sergeant. He was also the first-ever school resource officer for Old Orchard Beach schools, as well as their first-ever D.A.R.E. officer. While serving as a school resource officer, he coached several sports at Old Orchard Beach High School, including girls basketball and softball. While serving in his role as the department's reserve officer program coordinator, he mentored hundreds of officers at the start of their law enforcement careers. Sergeant Mattia will be long remembered and sadly missed by his wife of nearly 39 years, Kathleen, his family and friends and all those whose lives he touched;

(SLS 1696)

On **OBJECTION** of Representative CYRWAY of Albion, was **REMOVED** from the Special Sentiment Calendar.

READ.

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

Representative **CYRWAY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I just would be remiss not to mention about Sergeant Mattia. I met him back years ago when we had the Maine DARE Association, and also, I was a mentor and got to meet him through Sheriff Joel Merry. He's been around for a long time. Forty-three years as a career is amazing to be in law enforcement. He's worked with kids, he's been respected through the community and also through the State. So, I just wanted to say, you know, thank you for his service. I also notified DARE America and they will be having a memoriam for him in the service in Florida this year. Thank you.

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

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

Representative **DUNPHY**: Thank you, Madam Speaker. Madam Speaker, I rise today to celebrate a remarkable achievement by a team that has added yet another glorious chapter to their rich history of basketball excellence. I am thrilled to welcome the Valley Cavaliers' triumph in winning Class D Regional Basketball Championship.

The Cavaliers, a team steeped in tradition and known for their unwavering commitment to excellence, have once again demonstrated their powers on the court. With grit, determination and sheer skill, they have emerged victorious, bringing home the Regional Championship trophy to Upper Kennebec Valley and the communities of Bingham and Moscow. The victory is not merely about the accolades and the glories of winning a Championship. It is, in fact, a testimony to the hard work, dedication and resilience of the players, coaches and supporters who have poured their hearts and souls into the endeavor. It's a reflection of the unwavering spirit and pride of a community, a community that rallies behind its teams with unwavering support. These are the qualities that have propelled them to victory and will continue to guide them in their future endeavors. Another remarkable achievement: Harry Louis, Fisher Tewksbury; both sophomores; and Madeline Hill hit 1,000 points in their career this season as well.

So, on behalf of the entire community, I extend my heartfelt congratulations to the Valley Cavaliers for their outstanding performance and for uniting our town around a continuing rich tradition. May their victory serve as a source of inspiration for generations to come. Thank you, Madam Speaker.

SENATE PAPERS

The following Joint Order: (S.P. 992)
ORDERED, the House concurring, that Joint Order 2023, H.P. 3 be amended by striking out all of section 5.
Came from the Senate, **READ** and **PASSED**.
READ and **PASSED** in concurrence.

Non-Concurrent Matter

An Act Establishing Concurrent Jurisdiction with the Federal Courts in Certain Juvenile Matters
(S.P. 923) (L.D. 2171)
(C. "A" S-549)
- In House, **PASSED TO BE ENACTED** on March 6, 2024.
- In Senate, **PASSED TO BE ENACTED** on March 7, 2024, in concurrence.
- **RECALLED** from the Governor's Desk pursuant to Joint Order, S.P. 985.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-549) AS AMENDED BY SENATE AMENDMENT "A" (S-603)** thereto in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

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)

Majority (8) **OUGHT TO PASS** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED** in the House on March 13, 2024.

Came from the Senate with the Minority (5) **OUGHT TO PASS AS AMENDED** Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-817) AS AMENDED BY SENATE AMENDMENT "A" (S-597)** thereto in **NON-CONCURRENCE**.

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

Non-Concurrent Matter

Bill "An Act to Remove the Exemption from Sales and Use Tax for Automobiles Purchased for Use as Rentals"
(H.P. 1409) (L.D. 2198)

Majority (6) **OUGHT TO PASS AS AMENDED** Report of the Committee on **TAXATION READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-844)** in the House on March 25, 2024.

Came from the Senate with the Minority (4) **OUGHT NOT TO PASS** Report of the Committee on **TAXATION READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

COMMUNICATIONS

The Following Communication: (H.C. 462)

STATE OF MAINE

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

TO: Senator Craig Hickman, Senate Chair
Representative Jessica Fay, House Chair
Government Oversight Committee
FROM: Senator Ben Chipman, Senate Chair
Representative Lydia Crafts, House Chair
Joint Standing Committee on Transportation
SUBJ: Quasi-Independent State Entity Reviews of the
Maine Turnpike Authority, Northern New England
Passenger Rail Authority, and Maine Port Authority
DATE: March 26, 2024

The Joint Standing Committee on Transportation is pleased to report the results of its review of the Maine Turnpike Authority, Northern New England Passenger Rail Authority, and Maine Port Authority pursuant to the laws governing quasi-independent state entities in Title 5, chapter 379, subchapter 3 of the Maine Revised Statutes.

As required by Title 5, section 12023, subsection 3, the committee met to review each quasi-independent entity's annual reports to the Legislature for the previous two calendar years to assess whether policies adopted by each entity are consistent with the requirements of Title 5, section 12022, subsections 3 to 5, and whether reported waivers of competitive procurement and contributions are in compliance with adopted policies.

After review, the committee is pleased to report that it did not find any inconsistencies between the entities' policies and procedures and that it did not find any of the entities' reported waivers of competitive procurement and reported contributions to be out of compliance with the policies and procedures.

Thank you for your opportunity to report to you on these matters.

Sincerely,
S/Benjamin M. Chipman
Senate Chair
S/Lydia V. Crafts
House Chair

READ and **ORDERED PLACED ON FILE**.

The Following Communication: (H.C. 459)

STATE OF MAINE

CLERK'S OFFICE

**2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002**

March 26, 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 Coverage, Insurance and Financial Services
L.D. 1793 Resolve, Directing the Department of Health and Human Services to Contract for Discounted Insulin Manufactured and Distributed by Civica Rx

Housing
L.D. 1672 An Act to Establish an Affordable Housing Permitting Process

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

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 460)

**STATE OF MAINE
SUPREME JUDICIAL COURT**

March 22, 2024

Darek M. Grant
Secretary of the Senate
Office of the Secretary of the Senate
3 State House Station
Augusta, Maine 04333

Robert B. Hunt
Clerk of the House
Office of the Clerk of the House
2 State House Station
Augusta, Maine 04333

Edward A. Charbonneau, Esq.
Revisor of Statutes
Office of the Revisor of Statutes
Room 108, State House
Augusta, Maine 04333

Dear Secretary Grant, Clerk Hunt, and Revisor Charbonneau,
In accordance with the Legislature's authorization to arrange the Constitution in 2024 following the 2023 arrangement, enclosed please find the 2024 rearranged Constitution of the State of Maine.

Very truly yours,
S/Valerie Stanfill
Chief Justice

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (H.C. 461)

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

March 27, 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 Environment and Natural Resources has approved the request by the sponsor, Representative Fay of Raymond, to report the following "Leave to Withdraw: "

L.D. 277 An Act Regarding Perfluoroalkyl and Polyfluoroalkyl Substances

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

READ and with accompanying papers ORDERED PLACED ON FILE.

The Following Communication: (S.C. 1044)

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

March 25, 2024

Honorable Rachel Talbot Ross
Speaker of the House
2 State House Station
Augusta, ME 04333-0002

Dear Speaker Talbot Ross:

In accordance with 3 M.R.S.A. §158 and Joint Rule 506 of the 131st Maine Legislature, please be advised that the Senate today confirmed the following nominations:

Upon the recommendation of the Committee on Judiciary:

- Robert Checkoway of Freeport for reappointment, to the Maine Indian Tribal-State Commission.

Upon the recommendation of the Committee on Labor and Housing:

- Shari Broder, Esq. of Freeport for reappointment, to the Maine Labor Relations Board,
- Sheila Mayberry, Esq. of Falmouth for reappointment, to the Maine Labor Relations Board,
- Rebekah Smith, Esq. of Union for reappointment, to the Maine Labor Relations Board,
- Christina Bonney of Portland for appointment, to the Paid Family and Medical Leave Benefits Authority.

Best Regards,

S/Darek M. Grant

Secretary of the Senate

READ and ORDERED PLACED ON FILE.

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

ORDERS

On motion of Representative SAMPSON of Alfred, the following Joint Order: (H.P. 1466)

WHEREAS, excess mortality or excess deaths are determined by comparing the expected number of deaths in a place over a given time period to the actual number of deaths that occurred in that place over the same time period; and

WHEREAS, the United States Department of Health and Human Services, Centers for Disease Control and Prevention has estimated that approximately 1,179,024 excess deaths occurred in the United States since March 2020; and

WHEREAS, the Maine Department of Health and Human Services has documented mortality rates from 2015 to 2022 in the State; and

WHEREAS, the total number of all-cause deaths for persons 25 to 64 years of age from January 2015 to December 2019 was 15,244, which is an all-cause average number of deaths per year of 3,049, an average rate increase of 1.5% per year; and

WHEREAS, the all-cause number of deaths for persons 25 to 64 years of age from January 2020 to December 2020 was 3,321, a rate increase from 2019 of 6.3%; and

WHEREAS, the all-cause number of deaths for persons 25 to 64 years of age from January 2021 to December 2021 was 3,908, a rate increase from 2020 of 17.7%; and

WHEREAS, the all-cause number of deaths for persons 25 to 64 years of age from January 2022 to December 2022 was 3,844, a rate decrease from 2021 of -1.64% for a total rate increase of 16.04% since 2019; and

WHEREAS, the total number of all-cause deaths for persons 25 to 64 years of age from January 2020 to December 2022 was 11,073, which is an all-cause average number of deaths per year of 3,691, a rate increase of 21.1% over the average number of deaths from 2015 to 2019; and

WHEREAS, the Governor has repeatedly stated that every life is important and that we must protect residents and reduce the risk of death; now, therefore, be it

ORDERED, the Senate concurring, that the Task Force to Investigate Excess Deaths in Maine is established as follows.

1. Task Force to Investigate Excess Deaths in Maine established. The Task Force to Investigate Excess Deaths in Maine, referred to in this order as "the task force," is established.

2. Membership. The task force consists of 4 members appointed as follows:

A. Two members of the Senate appointed by the President of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature; and

B. Two members of the House of Representatives appointed by the Speaker of the House, including a member from each of the 2 parties holding the largest number of seats in the Legislature.

The President of the Senate and the Speaker of the House shall invite the participation of the Director of the Maine Center for Disease Control and Prevention within the Department of Health and Human Services, a person who is a statistician and a person who is a research scientist.

3. Task force chair. The first-named House member is the chair of the task force.

4. Appointments; convening of task force. All appointments must be made no later than 15 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chair of the task force shall call and convene the first meeting of the task force. If 15 days or more after the passage of this order a majority of but not all appointments have been made, the chair may request authority and the Legislative Council may grant authority for the task force to meet and conduct its business.

5. Duties. The task force shall review all available data from the Department of Health and Human Services, Maine Center for Disease Control and Prevention, the United States Department of Health and Human Services, Centers for Disease Control and Prevention and other relevant sources and examine the root causes related to unprecedented increased excess deaths, all-cause deaths and all-cause death rate increases since 2019.

6. Staff assistance. The Legislative Council shall provide necessary staffing services to the task force, except that the Legislative Council staff support is not authorized when the Legislature is in regular or special session.

7. Report. No later than November 6, 2024, the task force shall submit a report to the Joint Standing Committee on Health and Human Services that includes its findings and recommendations, including suggested legislation, for presentation to the 132nd Legislature in 2025.

READ.

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

Representative **SAMPSON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. First of all, thank you, Madam Speaker, for allowing that to be read. That's a lot of information, so, I'd like to put this in some simpler terms. And I'd like you to think about the fact that it's a little shocking that in that data, Maine has had up to an 18% increase in all-cause deaths in the last two years. What do you think is the normal range of the annual increase of deaths here in Maine? It's about 1.5%. So, we've just experienced almost an 18% increase in healthy young and working-aged people who have died.

This is a silent epidemic, people. We're all being affected by this. It's happening all around us. I would even challenge you to conduct a search online for quote-unquote 'suddenly died' headlines. In a flash, you will find hundreds, even thousands of examples. A few years ago, this was unheard of; suddenly died of a heart attack, suddenly died of brain aneurysm, suddenly died after a stroke, suddenly died of meningitis, suddenly died of anaphylaxis, suddenly died of pulmonary embolus, suddenly died of asthma, suddenly died of brain aneurysm; and it goes on and on, and this is shocking. And we are starting to hear a new coined term, sudden death syndrome, SDS; which describes the sudden unexpected death from natural causes without a specific medical condition. SDS is an umbrella term. It includes biologically-based scenarios, describing quick onset of unexpected mortality without prior signs of illness. I'll repeat; without prior signs of illness. Autopsies may be nonconclusive due to the lack of obvious abnormalities. They may also be nonconclusive because we may not be asking the right questions. We as a legislative Body must press for deeper investigation in this.

According to the raw data gathered from the Maine's DHHS for all-cause mortality for 25- to 64-year-old age category, in 2020, there was an acknowledgement that deaths spiked to COVID here in Maine. That spike was 6.3%, compared to the yearly average of 1.5%. So, I ask you, if 6.3% is a spike, what would you call 18%? Some of those deaths could be attributed to COVID and to initial treatment strategies that were not effective. However, in 2021, the number of deaths were beyond what anybody expected. Both on the national and statewide basis, the numbers were extraordinary. The rate of deaths for 25- to 64-year-olds increased from 2020 to a total of 17.7%. That's almost 18%. The CEO of the OneAmerica Insurance Company publicly disclosed that during the third and fourth quarter of 2021, death in people of working age, 18-64, was 40% higher than it was before the pandemic. This data was compiled by actuaries, who are the mathematical experts insurance companies rely upon.

A 40% increase in deaths is literally Earth-shaking. Even a 10% increase in excess deaths would have been a one-in-200-year event, and we have almost an 18% increase here in Maine. What could be causing this epidemic of unexpected sudden deaths? What has caused this historic spike in deaths among our younger people? Why is nobody talking about this? What is causing this? Is anyone curious? I am. This is not normal. Normal is less than 1%. We really need to investigate this now.

We, in this Body, spend a great deal of time trying to ensure people's safety and welfare. We answer a call to action when there's a spike in certain illnesses and in deaths in specific categories. What if this is much bigger than any of the spikes we've seen before? Over the last two years; let me just say it again, we're seeing a spike in deaths in almost 18%. Why? We have to find out. As a mother and a grandmother, this entire

issue deeply concerns me. I want my children and their children to have long, healthy lives. We need to get to the bottom of this, my friends. This is not our future, this is their future. If there's even a chance this data is correct, we have the moral obligation to our children to investigate. This data represents a flashing red light. As government leaders, our primary mission is to listen, to learn, respond and examine so we can take action. We have many differences in this Chamber, but I know everyone in here cares deeply about their families and their constituents. I am asking us to pull together on this one, please. We need to get to the bottom of this and we need to get to the bottom of this soon. Thank you.

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

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

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

ROLL CALL NO. 424

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

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

ABSENT - Brennan, Costain, Galletta, Landry, Lavigne, Newman, Skold.

Yes, 65; No, 79; Absent, 7; Excused, 0.

65 having voted in the affirmative and 79 voted in the negative, with 7 being absent, and accordingly the Joint Order **FAILED PASSAGE**.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-608)** on Bill "An Act to Provide Funding to the Maine School of Science and Mathematics Using the School Funding Formula Criteria" (S.P. 914) (L.D. 2118)

Signed:

Senators:

RAFFERTY of York
LIBBY of Cumberland
PIERCE of Cumberland

Representatives:

BAGSHAW of Windham
DODGE of Belfast
LYMAN of Livermore Falls
MILLETT of Cape Elizabeth
MURPHY of Scarborough
POLEWARCZYK of Wiscasset
SAMPSON of Alfred
SARGENT of York
WORTH of Ellsworth

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

Signed:

Representative:

BRENNAN of Portland

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-608)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-608)** 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-608)** in concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-604)** on Bill "An Act to Strengthen Freedom of Speech Protections by Extending Laws Against Strategic Lawsuits Against Public Participation" (S.P. 367) (L.D. 870)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York
BRAKEY of Androscoggin

Representatives:

MOONEN of Portland
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:

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford

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-604)**.

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-604)** 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-604)** in concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-611)** on Bill "An Act to Strengthen Shoreland Zoning Enforcement" (EMERGENCY)

(S.P. 894) (L.D. 2101)

Signed:

Senators:

NANGLE of Cumberland
BALDACCI of Penobscot
LYFORD of Penobscot

Representatives:

STOVER of Boothbay
ABDI of Lewiston
COPELAND of Saco
DHALAC of South Portland
GREENWOOD of Wales
POMERLEAU of Standish
RISEMAN of Harrison
SINCLAIR of Bath

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

Signed:

Representatives:

ADAMS of Lebanon
UNDERWOOD of Presque Isle

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-611)**.

READ.

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

Representative GREENWOOD of Wales **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: 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. 425

YEA - Abdi, Andrews, Ankeles, Arata, Arford, Babin, Beck, Bell, Blier, Boyle, Bradstreet, Bridgeo, Campbell, Carlow, Cloutier, Cluchey, Collamore, Collings, Crafts, Craven, Cray, Crockett, Cyrway, Dhalac, Dill, Dodge, Doudera, Drinkwater, Dunphy, Eaton, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Greenwood, Guerrette, Hall, Hasenfus, Hepler, Hobbs, Jackson, Jauch, Kessler, Kuhn, Lajoie, Lanigan, LaRochelle, Lee, Lemelin, Lookner, Madigan, Malon, Mason, Mastraccio, Mathieson, Matlack, Meyer, Millett H, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, Ness, Nutting, O'Connell, O'Neil, Osher, Parry, Perry A, Perry J, Pluecker, Pomerleau, Pringle, Rana, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Simmons, Sinclair, Stover, Supica, Swallow, Terry, Warren, White B, Williams, Wood, Woodsome, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Ardell, Bagshaw, Boyer, Carmichael, Davis, Ducharme, Faulkingham, Foster, Fredericks, Gifford, Griffin, Haggan, Henderson, Hymes, Javner, Libby, Lyman, Morris, Paul, Perkins, Poirier, Polewarczyk, Quint, Rudnicki, Sampson, Schmersal-Burgess, Smith, Soboleski, Strout, Theriault, Thorne, Underwood, Walker, White J.

ABSENT - Brennan, Copeland, Costain, Galletta, Landry, Lavigne, Newman, Skold.

Yes, 107; No, 36; Absent, 8; Vacant, 0; Excused, 0.

107 having voted in the affirmative and 36 voted in the negative, with 8 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-611)** 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-611)** in concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-602)** on Bill "An Act to Clarify the Property Tax Exemption for Air Pollution Control Facilities" (EMERGENCY)

(S.P. 855) (L.D. 2027)

Signed:

Senators:

GROHOSKI of Hancock
CHIPMAN of Cumberland
LIBBY of Cumberland

Representatives:

PERRY of Bangor
CARMICHAEL of Greenbush
CROCKETT of Portland
HASENFUS of Readfield
LAVIGNE of Berwick
MATLACK of St. George
RANA of Bangor

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

Signed:

Representatives:

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-602)**.

READ.

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

Representative POLEWARCZYK of Wiscasset **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 Wiscasset, Representative Polewarczyk.

Representative **POLEWARCZYK**: Madam Speaker, I rise in favor of the motion. This bill is the result of the Board of Environmental Protection granting Maine Yankee a tax exemption as a pollution control facility. Maine Yankee is nothing more than a storage facility for spent nuclear fuel. It is not operating, it is not generating air pollution and has not taken specific action to reduce air pollution. It's only task today is to safely store spent nuclear fuel. Neither Yankee Rowe in Massachusetts or Connecticut Yankee, or other storage facilities throughout the United States, have been granted air pollution control exemptions. Maine Yankee recovers all of its real estate taxes over a period of time and it's a cumbersome and lengthy process, but they've been recovering these taxes for nearly three decades. This spent fuel will remain in Wiscasset for decades to come and I will probably not see the end of it in my lifetime. The consequences of not passing this bill is that the residents, the property owners of Wiscasset, will see at least a 15% increase in their property taxes. I ask my colleagues to vote in favor of the pending motion. Thank you.

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

Representative **LIBBY**: Thank you, Madam Speaker. Madam Speaker, back in 2019, U.S. Senator Susan Collins introduced bipartisan legislation to address the impacts of stranded nuclear waste by providing federal assistance to communities around the country that were burdened with storing the spent fuel. Senator King was a cosponsor and the Wiscasset Board of Selectmen passed a resolution supporting the funding efforts. Sure enough, in fiscal year 2020, \$15 million was allocated to support Wiscasset and other towns hosting nuclear storage facilities; \$15 million, Madam Speaker. So, I wish to respectfully ask of any Member; did Wiscasset receive any of that money? Indeed, Madam Speaker, I wish to ask; did Wiscasset even bother to apply? Because I've been told that the town did not apply, and I hope that's not accurate. But now, the town is asking the Maine Legislature to pass emergency legislation to amend a law that has been on the books for decades, the property tax exemption for pollution control equipment. And it appears that the motivation for the bill is Wiscasset wanting to dramatically increase the property taxes it receives from Maine Yankee.

Madam Speaker, prior to this legislation coming before us, Wiscasset was offered a settlement on property taxes that would've doubled their tax receipts from Maine Yankee, but Wiscasset said no. And they didn't make a counter offer, Madam Speaker. Instead, they sent this new bill to Maine Yankee's ratepayers. The town said it didn't want double or triple, it wants nearly five times as much in taxes from other Mainers. I understand that Wiscasset opposed Maine Yankee's application that its pollution control equipment qualified for the property tax exemption under State law. The town's arguments were rejected. First, the DEP granted the exemption over the town's objection, and then the BEP rejected the town's appeal. The basis of those decisions appears to be that Maine Yankee's request for the exemption meets the law. Radionuclides are defined as a pollutant by the U.S. EPA and in Maine DEP regulations. Therefore, applying for and receiving the exemption was legal and appropriate. The town subsequently filed a lawsuit in Superior Court, appealing the decision. That case is underway right now. Are we not on dangerous territory, passing emergency legislation to stop a court proceeding? In my experience, the Legislature has treaded very carefully when acting to change law that is the subject of imminent judicial action. I think we should pay attention to our predecessors' cautious approach.

I believe that it is in the purview of the Taxation Committee, on which I sit, to write law that determines tax policy for Maine. But I do not believe that it is in the purview of the Taxation Committee to redefine air pollution on a case-by-case basis, which is, if you read this bill and the amendment, what this bill does. Is the Taxation Committee, not even ENR, going to start looking at pollution sources one by one and deciding which are worthy of an exemption and which are not? Some may say, well, Maine Yankee is a singular case. There's only one decommissioned nuclear power plant in Maine. Sure, but that doesn't mean that there aren't other entities that work with radionuclides in Maine. Will this change in policy impact them now or in the future?

I am concerned about the rate impacts on Maine electricity consumers of this bill. The consequences of passing this legislation means higher taxes at Maine Yankee, one-half of that bill is paid by the electric consumers of CMP and Versant. Thank you, Madam Speaker.

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

ROLL CALL NO. 426

YEA - Abdi, Adams, Albert, Andrews, Ankeles, Arata, Ardell, Arford, Babin, Bagshaw, Beck, Bell, Blier, Boyle, Bradstreet, Bridgeo, Campbell, Carlow, Carmichael, Cloutier, Cluchey, Collamore, Collings, Copeland, Crafts, Craven, Crockett, Cyrway, Dhalac, Dill, Dodge, Doudera, Drinkwater, Ducharme, Eaton, Faulkingham, Fay, Gattine, Geiger, Gere, Gifford, Golek, Graham, Gramlich, Griffin, Guerrette, Hall, Hasenfus, Hepler, Hobbs, Jackson, Jauch, Javner, Kessler, Kuhn, Lajoie, LaRochelle, Lee, Lemelin, Lookner, Lyman, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett H, Millett R, Milliken, Montell, Moonen, Moriarty, Murphy, Nutting, O'Connell, O'Neil, Osher, Parry, Perry A, Perry J, Pluecker, Poirier, Polewarczyk, Pringle, Rana, Rielly, Riseman, Roberts, Roeder, Rudnicki, Runte, Russell, Sachs, Salisbury, Sampson, Sargent, Sayre, Schmersal-Burgess, Shagoury, Shaw, Simmons, Sinclair, Stover, Strout, Supica, Swallow, Terry, Theriault, Underwood, Warren, White B, Williams, Wood, Worth, Zager, Zeigler, Madam Speaker.

NAY - Boyer, Cray, Davis, Dunphy, Foster, Fredericks, Greenwood, Haggan, Henderson, Hymes, Lanigan, Libby, Mason, Morris, Ness, Paul, Perkins, Pomerleau, Quint, Smith, Soboleski, Thorne, Walker, White J, Woodsome.

ABSENT - Brennan, Costain, Galletta, Landry, Lavigne, Newman, Sheehan, Skold.

Yes, 118; No, 25; Absent, 8; Vacant, 0; Excused, 0.

118 having voted in the affirmative and 25 voted in the negative, with 8 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-602)** 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-602)** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-856)** on Bill "An Act to Provide Incentives to Schools That Contract for Certain Social Work and Family Therapy Services"

(H.P. 1280) (L.D. 2002)

Signed:

Senators:

RAFFERTY of York
LIBBY of Cumberland
PIERCE of Cumberland

Representatives:

BRENNAN of Portland
DODGE of Belfast
MILLETT of Cape Elizabeth
MURPHY of Scarborough
SARGENT of York
WORTH of Ellsworth

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

Signed:

Representatives:

BAGSHAW of Windham
LYMAN of Livermore Falls
POLEWARCZYK of Wiscasset
SAMPSON of Alfred

READ.

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

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

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

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

Representative **SAMPSON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. I strongly oppose this motion. This is an example of a social service agency taking advantage of the education system in order to pad their own payroll. The Department of Education should not be in the business of subsidizing nonprofits.

During the hearing on this bill, it became very clear that it was about one social service agency. This is an example of just one organization in a long line of many non-governmental agencies grifting off the taxpayers through the Department of Education. We've also just passed a law that allows secrets to be kept from parents about their children interacting with social workers and other staff. So, here comes a bill which will be rolling out more social workers as reinforcements, so, all I have to say is; parents beware.

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. 427

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

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

ABSENT - Brennan, Costain, Galletta, Landry, Lavigne, Newman, Skold.

Yes, 82; No, 62; Absent, 7; Vacant, 0; Excused, 0.

82 having voted in the affirmative and 62 voted in the negative, with 7 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-856)** 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-856)** and sent for concurrence.

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

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-853)** on Bill "An Act to Require the State to Notify Indian Tribes and Indian Nations When New Laws Are Enacted That Need to Be Certified"

(H.P. 1167) (L.D. 1835)

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York
BRAKEY of Androscoggin

Representatives:

MOONEN of Portland
ANDREWS of Paris
HENDERSON of Rumford
KUHN of Falmouth
LEE of Auburn
MORIARTY of Cumberland
SHEEHAN of Biddeford

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

Signed:

Representatives:

HAGGAN of Hampden
POIRIER of Skowhegan

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" (H-853)** 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-853)** and sent for concurrence.

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-854)** on Resolve, Directing the Department of Administrative and Financial Services, the State Court Administrator and the Executive Director of the Legislative Council to Add a 3rd Option for Gender on State Forms

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

Signed:

Senators:

CARNEY of Cumberland
BAILEY of York
BRAKEY of Androscoggin

Representatives:

MOONEN of Portland
BECK of South Portland
KUHN of Falmouth
LEE of Auburn
MORIARTY of Cumberland
SHEEHAN of Biddeford

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

Signed:

Representatives:

ANDREWS of Paris
HAGGAN of Hampden
HENDERSON of Rumford
POIRIER of Skowhegan

READ.

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

Representative POIRIER of Skowhegan **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 Skowhegan, Representative Poirier.

Representative **POIRIER**: Thank you very much, Madam Speaker. The American Psychiatric Association categorizes gender dysphoria as a DSM-V mental health diagnosis; yet, here we are with this bill, adding gender X to State forms. Because of the limits in technology and the multi-million-dollar costs to change them, this bill will only force the alteration of some forms, leading to inconsistencies. It's important to note that we cannot make these changes to federal forms, which again will cause inconsistencies. Madam Speaker, as we continue to pass laws to make such changes, our taxpayers foot the bill. For these reasons, I ask you to join me and oppose the pending motion.

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

Representative **FAULKINGHAM**: Madam Speaker, I rise in opposition to the pending motion. It blows my mind that this needs to be said, but; Madam Speaker, there are two genders, male and female. The fact that, in 2024, we're talking about adding a third gender is laughable. If we can't even agree that there are two genders, how in the world are we going to lower electric rates, make it easier on people to pay for their groceries, survive, work together, if we can't even agree that there are two genders? Madam Speaker, this conversation is, quite frankly, idiotic. This stuff needs to stop, and I know the people on this side of the aisle have had enough of it. I urge the Members to vote no on the pending motion.

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

Representative **MOONEN**: Thank you, Madam Speaker. Madam Speaker, Colleagues of the House, Maine has recognized an X gender marker on driver's licenses for more than five years. Maine has recognized an X gender marker on birth certificates for more than four years, I believe. The federal government recognizes X gender markers on passports. It simply makes sense that, if both the State and the federal government offer this as an option, that our forms that various State agencies use should also recognize that these legal documents have such an option and that people are taking the opportunity to use it. I view this as pretty common sense that we are moving towards consistency, both with ourselves and with the federal government. As far as taxpayers go, this bill has no fiscal note at all. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Henderson.

Representative **HENDERSON**: Thank you, Madam Speaker. I did not intend to rise until the last comment was made. Although this bill in and of itself does not have a fiscal note, this is a smaller piece to a much larger puzzle. There was a bill that was passed last year that came back with a \$10 million fiscal note. So, instead of voting or arguing the merits of that bill in and of itself, it was pieced out into smaller bills, this being the first of many. 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. 428

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

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

ABSENT - Brennan, Costain, Landry, Lavigne, Newman, Skold.

Yes, 81; No, 64; Absent, 6; Vacant, 0; Excused, 0.

81 having voted in the affirmative and 64 voted in the negative, with 6 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Resolve was **READ ONCE. Committee Amendment "A" (H-854) was READ** by the Clerk and **ADOPTED.**

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-854)** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-855)** on Bill "An Act to Allow Municipalities to Tax Personal Solar Energy Equipment Under 5 Megawatts"

(H.P. 725) (L.D. 1153)

Signed:
Senator:

GROHOSKI of Hancock

Representatives:

CROCKETT of Portland

HASENFUS of Readfield

LAVIGNE of Berwick

MATLACK of St. George

QUINT of Hodgdon

RANA of Bangor

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

Signed:

Senators:

CHIPMAN of Cumberland

LIBBY of Cumberland

Representative:

RUDNICKI of Fairfield

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" (H-855) 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-855)** and sent for concurrence.

Majority Report of the Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-866)** on Bill "An Act to Dedicate the Revenue from the Sales Tax on Electricity to Low-income Ratepayer Assistance"

(H.P. 1367) (L.D. 2143)

Signed:

Senator:

GROHOSKI of Hancock

Representatives:

HASENFUS of Readfield

LAVIGNE of Berwick

LIBBY of Auburn

QUINT of Hodgdon

RUDNICKI of Fairfield

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-867)** on same Bill.

Signed:

Senators:

CHIPMAN of Cumberland

LIBBY of Cumberland

Representatives:

CROCKETT of Portland

MATLACK of St. George

RANA of Bangor

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" (H-866)** 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-866)** and sent for concurrence.

Eight Members of the Committee on **STATE AND LOCAL GOVERNMENT** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-864)** on Resolve, to Add Members to the Maine Semiquincentennial Commission and Set the Compensation Rate for Commission Members (EMERGENCY)

(H.P. 1369) (L.D. 2145)

Signed:

Senators:

NANGLE of Cumberland
BALDACCI of Penobscot

Representatives:

STOVER of Boothbay
ABDI of Lewiston
COPELAND of Saco
DHALAC of South Portland
RISEMAN of Harrison
SINCLAIR of Bath

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

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ADAMS of Lebanon
GREENWOOD of Wales
UNDERWOOD of Presque Isle

One Member of the same Committee reports in Report "C" **Ought to Pass as Amended by Committee Amendment "B" (H-865)** on same Resolve.

Signed:

Representative:

POMERLEAU of Standish

READ.

Representative STOVER of Boothbay moved that the House **ACCEPT** Report "A" **Ought to Pass as Amended**.

The SPEAKER: The Chair recognizes the Representative from Wales, Representative Greenwood.

Representative **GREENWOOD**: Thank you, Madam Speaker. I rise in opposition to the pending motion. Last year, when we created the Commission to Celebrate Maine's 250th anniversary, it was done in a bipartisan manner and it was suggested that, you know, it's going to be absorbed within existing resources, and we set up the Commission so that it was going to do that. This expands the Commission and adds compensation, which was not the original intent and, had that been the reason a year ago, I wouldn't've even done to set up the original Commission. So, for that reason, I urge my fellow colleagues to vote no on the pending motion. Thank you.

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

Representative **STOVER**: Thank you, Madam Speaker. As Maine prepares to celebrate the semiquincentennial, it is imperative to have broad representation and inclusion of our communities. LD 2145 seeks to broaden membership by two members, one from the Acadian community and a person representing the Jewish community. In addition, many of us have been asked in our lifetimes to join boards, commissions or committees, and many of us, when employed, are compensated for our participation. It allows us to travel, allows us to take the day, it allows us to share our expertise as a paid representative. There are many people who have valuable skills and abilities and expertise who don't have that privilege, so, they are not paid for their participation. LD 2145 would provide modest compensation for Commission members who otherwise would not be paid, and the financial support would allow them to travel and take the day and participate fully in carrying out the duties as a member. I urge you to vote for the Majority Ought to Pass Report to allow greater inclusion and participation as we plan for Maine's semiquincentennial. Thank you.

Representative GREENWOOD of Wales **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought to Pass as Amended**.

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

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

Representative **WHITE**: Thank you, Madam Speaker. Please join me. Bait-and-switch is getting old.

The SPEAKER: The Chair recognizes the Representative from Pittsfield, Representative Collamore.

Representative **COLLAMORE**: Thank you, Madam Speaker. Madam Speaker, I oppose the motion before us today. If this were just about adding two new seats to a volunteer board, I would be all for it, but adding compensation when the; I just looked it up really quickly here, from Oxford Dictionary; a volunteer is a person who freely offers to take part in an enterprise or undertake a task. They do this freely, without being paid, and know in volunteering that they are doing so freely and without being paid. Thank you.

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

ROLL CALL NO. 429

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

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carmichael, Collamore, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lemelin, Libby, Lyman, Mason, Millett H, Moriarty, Morris, Ness, Nutting, Parry, Paul,

Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Walker, White J, Wood, Woodsome.

ABSENT - Brennan, Costain, Landry, Lavigne, Newman, Skold, Underwood.

Yes, 80; No, 64; Absent, 7; Vacant, 0; Excused, 0.

80 having voted in the affirmative and 64 voted in the negative, with 7 being absent, and accordingly Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-864)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-864)** and sent for concurrence.

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

ENACTORS

Emergency Measure

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

(H.P. 1427) (L.D. 2226)

(C. "A" H-841)

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. 111 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 Replace the Money Transmitters Act

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

(C. "A" S-580)

An Act to Fund Military Sexual Trauma Liaison Positions at Community-based Organizations

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

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 Require the Department of Health and Human Services to Amend Its MaineCare Reimbursement Rules to Provide Reimbursement to Veterans' Facilities on a Per Resident Basis

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

(S. "A" S-585 to C. "A" S-571)

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

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

UNFINISHED BUSINESS

The following matters, in the consideration of which the House was engaged at the time of adjournment Monday, March 25, 2024, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

SENATE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (S-560)** - Minority (5) **Ought Not to Pass** - Committee on **STATE AND LOCAL GOVERNMENT** on Bill "An Act to Support Municipalities by Repealing the Law Limiting the Municipal Property Tax Levy" (EMERGENCY)

(S.P. 895) (L.D. 2102)

- In Senate, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-560)**.

TABLED - March 14, 2024 (Till Later Today) by Representative TERRY of Gorham.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

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

Representative GREENWOOD of Wales **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 New Gloucester, Representative Arata.

Representative **ARATA**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. First, I'd like to give you a really brief little history about the tax levy limit. In 2005, both Democrats and Republicans agreed that excessive tax increases at both the State and local levels were unsustainable. A taxpayer revolt was brewing, so, a bipartisan working group was established to address the problem. And after dozens of meetings, the group presented LD 1, which included many compromises to accomplish the shared goals of efficient, affordable and effective government. One of these compromises was the property tax levy limit. This bill was supported by all but two of the Democrats in both Chambers, so, they must've had a good deal. So, look up the Roll Call for LD 1 in the 122nd Legislature and you'll see many familiar names, including several in this room right now. Plus, then-Representative Troy Jackson, Senator Rotundo and then-Representative Janet Mills.

The property tax levy limit is a very reasonable, bipartisan law that limits property tax growth to the percentage of average personal income growth plus the percentage of new property that's being taxed in the municipality. And this makes sense because taxes should not increase faster than your income does. Now, there are reasonable exceptions to the limit for emergencies such as natural disasters or fluctuations in State or federal funding, and the voters can also vote to exceed the limit, which they often do.

Now, this bill would remove this reasonable property tax growth limit and take power away from the local voters. This bill came from some municipal leaders of a town that I represent, because they were upset that voters opposed surpassing the limit back in 2020 and the budget failed until they had a special election. So, I understand that we typically like to please our municipal governments, and, having chaired the local Budget

Committee, I understand the complexity and appreciate the hard work that they do. However, we all work for the voters first. I represent the 863 voters who wanted to stay under the spending limit, not just the few who were unhappy about it. We all appreciate our municipal leaders, but we also have to remember that we represent 9,000 other people in our districts. They elected us and we should be empowering them, not taking away their voice. And, by the way, back in 2020, when the budget failed in one of my towns, Democratic voters outnumbered Republicans by over 16% in that election. So, this is not about partisanship at all. Democratic voters also support reasonable limits on tax increases.

But this bill isn't needed. Since 2020, the town leaders have been including a short note on the ballots to inform voters about why they want to surpass the levy limit, and the voters supported overriding the limit. For example, in 2021, the town wanted to fund property tax assistance for seniors. They included a short note to inform the voters that this was the reason why they wanted to exceed the spending limit, and the voters overwhelmingly voted to override the limit because they wanted to help the seniors in their community. Now, it's been said that the voters don't understand the tax levy limit, but this proves that voters are in fact intelligent enough to understand it. Municipal leaders just have to explain to them why they want to override it.

LD 2102 will punish property taxpayers throughout the whole State because some local officials in one town couldn't pass their budget back in 2020. All they had to do was explain to voters why the levy was above the limit and then let the voters decide. But the problem with this bill goes beyond just the property tax levy limit. You see, when Democrats and Republicans come together to negotiate a compromise, that agreement should be honored. And, as we sit here today, there are issues that we work hard for hours to negotiate and to find common ground. We shouldn't flippantly dismiss the hard work of those who came before us, because it diminishes the trust and hampers our ability to work together in the future. Now, it's been said that the property tax limit is old-fashioned. But, you know, there's nothing old-fashioned about honoring your compromises and letting voters keep the checks and balances that are so important for good government.

Now, I, of all people, understand the importance of good communication with your party leaders, and so, I urge you to text your leadership and let them know that because you are now aware of the history, reasonableness and importance of the property tax levy limit, that you are now going to vote against this motion. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Woolwich, Representative Hepler.

Representative **HEPLER**: Thank you, Madam Speaker. I rise in support of the pending motion on LD 2102. I'm in my 13th year on the Woolwich Select Board and have created and managed 13 budgets so far. While I had attended Town Meetings prior to my election, it was in 2012 when I first encountered what was finally known as LD 1. It was mystifying to me that there was a mysterious State formula that told Woolwich how much we could raise and appropriate. To exceed that required a written ballot of approval from all Town Meeting participants. It has always passed. We have always included a note explaining why, and it has always passed. Townspeople were persuaded that the Select Board had created a budget that was reasonable and what our town needed. There's always debate and there are always questions about our warrant articles and votes are not always unanimous, but Town Meeting always votes overwhelmingly to exceed the tax levy.

So, here's at least one problem with the levy limit formula. We always use money from our undesignated fund balance to help reduce our taxes. We seek advice from our auditor every year for a prudent amount. That money is not part of the funding formula for LD 1, so, it is a seriously flawed number for us. There are other shortcomings as well, including the fact that the growth factor used is a statewide number and not tailored to each region of the State.

When I got elected to this Body, the Board asked me to find out more about LD 1. I was told something about how LD 1 keeps towns from being wild over-spenders. Keep in mind that by this time, the State Planning Office had been abolished, so, there was literally nowhere to report this number. Sometime during my time here, the Legislature did away with the written ballot requirement, so, there's that; but it is hard to defend continuing to explain to our residents why we go through this process when there is nowhere to report the outcome of the vote. Frankly, I don't even know to whom the consequences of a no vote would be reported.

What bugs me the most, to be honest, about this requirement is the assumption that towns, if left to their own devices, are wild over-spenders. First, we are not. I am proud to say that in Woolwich, our mill rate has been flat for three years in a row. And second, if we do start acting like wild over-spenders, there are a couple of checks on our behavior. One; our townspeople will amend and reduce the warrant amounts and vote for those reduced amounts at Town Meeting. Two; our residents will vote one or several of us out. This is how democracy in our Town Meeting works. And I'm proud to be one of the hundreds of local elected officials who work hard for the people we represent.

In my mind, LD 1 is an unnecessary step for towns that will make no difference in how we run our local government. It's an artificial remnant, albeit a bipartisan one, of a different climate and needs to go away. Please support this motion. 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. 430

YEA - Abdi, Ankeles, Arford, Beck, Bell, Blier, Boyle, Bridgeo, Cloutier, Collings, Crafts, Craven, Crockett, Davis, Dhalac, Dill, Dodge, Doudera, Eaton, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Lajoie, LaRochelle, Lee, Lookner, Madigan, Malon, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Murphy, O'Connell, O'Neil, Osher, Perry A, Perry J, Pringle, Rana, Rielly, Riseman, Roberts, Roeder, Runte, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Sinclair, Stover, Supica, Terry, White B, Williams, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Cluchey, Collamore, Cray, Cyrway, Drinkwater, Ducharme, Dunphy, Faulkingham, Fay, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lanigan, Lemelin, Libby, Lyman, Mason, Mastraccio, Millett H, Moriarty, Morris, Ness, Nutting, Parry, Paul, Perkins, Pluecker, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Russell, Sampson, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Walker, Warren, White J, Wood, Woodsome.

ABSENT - Brennan, Copeland, Costain, Landry, Lavigne, Newman, Skold, Underwood.

Yes, 74; No, 69; Absent, 8; Vacant, 0; Excused, 0.

74 having voted in the affirmative and 69 voted in the negative, with 8 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-560)** 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-560)** in concurrence.

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

SENATE DIVIDED REPORT - Majority (8) **Ought Not to Pass** - Minority (3) **Ought to Pass as Amended by Committee Amendment "A" (S-565)** - Committee on **TRANSPORTATION** on Bill "An Act to Identify the Railroad Lines from Portland to Bangor as a Major Corridor and to Fund a Feasibility Study" (S.P. 357) (L.D. 860)

- In Senate, Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-565) AS AMENDED BY SENATE AMENDMENT "A" (S-590)** thereto.

TABLED - March 25, 2024 (Till Later Today) by Representative TERRY of Gorham.

PENDING - **ACCEPTANCE OF EITHER REPORT**.

Representative CRAFTS of Newcastle moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

Representative WHITE of Waterville **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 Waterville, Representative White.

Representative **WHITE**: Thank you, Madam Speaker, and Members of the House. The other Body recently passed LD 860 with a --

The SPEAKER: The Member will defer. The Member cannot refer to the actions of the other Body that may influence this vote.

The Chair advised Representative WHITE of Waterville that it is inappropriate to refer to the potential action of the Office of the Executive or the other Body in order to influence the vote of the House.

The SPEAKER: The Member may proceed.

Representative **WHITE**: LD 860; the sole provision of this bill directs the Northern New England Passenger Rail Authority, which runs the Amtrak Downeaster train service, to apply for a \$500,000 grant. I'll emphasize; to apply for a \$500,000 grant from the federal government infrastructure funds. It will study, and identify as a major passenger rail corridor, the CSX rail line from Portland to Auburn, Lewiston, Waterville and Bangor. This route has never been studied before. We have studied service from Portland to Lewiston, as well as a different route from Portland to Bangor. Combining service potential from all five cities has never been done before. Many believe that connecting the three largest metro areas in Maine, representing nearly half its population, will show ridership sufficient to qualify for federal implementation funding. The Central Maine

Chamber of Commerce strongly supports LD 860. Lewiston, Waterville and Bangor City Councils have all endorsed it. The State would not pay any of the \$500,000 study cost; it is all federal funds. We really have nothing to lose and everything to gain by passing this bill.

We really need to get on board by applying for the funding. Let's not get sidetracked or derailed on the issue; we've got to have some humor around here. Let's wisely take this opportunity to move forward with this bill. We will be on the right track to potentially provide passenger rail usage now and for the future generations. It would be convenient, safe, environmentally beneficial, passenger rail service. Please vote against the pending motion so that we can pursue this historic funding opportunity. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Abdi.

Representative **ABDI**: Madam Speaker, I rise today in support of this measure. Maine's inland railway route requires an expansion to help make sure our community members, especially those without vehicles, have the ability to travel to and from most populated area. We know that most people in Maine are no longer able to live in the same community in which they work. That is why we need to increase ways in which Mainers can commute to and from their homes. LD 860, as amended by the Transportation Committee, directs the Northern New England Passenger Rail Authority to prepare a service development for passenger rail service between Portland, Lewiston-Auburn, Waterville and Bangor. This particular route has not yet been studied and that is exactly what this bill will help us do.

Like the First Congressional District, Mainers in Second Congressional District deserve transportation that works for them. It is time that we find ways to modernize our trail transportation and increase transportation accessibility to our communities. Thank you, and I urge you to follow my light.

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

Representative **WHITE**: Thank you, Madam Speaker. Before we study feasibility, we need population. The simple truth is that there is no district in the State of Maine that has the population density that would justify passenger rail. The most heavily populated district in the State is still only one-tenth of the standard that the rest of the country and the rest of the world uses when deciding whether or not to put in passenger rail. We just don't have enough people.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Craven.

Representative **CRAVEN**: Thank you, Madam Speaker. Madam Speaker, Men and Women of the House, Lewiston-Auburn and the surrounding areas have been working on getting rail service from Portland for decades. I worry that there's a bias that causes neglect for Central Maine to receive investment for economic development. The coastal area, whose population is way less, was able to secure rail service and a toll-free highway. Lewiston-Auburn is the second-largest population concentration, followed of course by Bangor and Waterville. We deserve to at least have a study, which is what this bill allows us to have.

This is a new proposal to access federal funding under the Bipartisan Infrastructure Act to expand and extend passenger rail services to new corridors under service markers, which include all of Maine's major cities from Portland. It will not repeat previous studies, but take a fresh look at the demographics, economic viability for rail and an alternative to other travel modes. Unlike bus stations, which now permanently connect

interstate highway exits, Maine's existing rail system runs through the middle of the downtown of Auburn, Lewiston, Waterville and Bangor. Train stations are a magnet for economic development wherever they are. The Brunswick Amtrak station began boosting housing, shops, inns and restaurants as soon as it was opened. Each new station will attract more passengers, reinforcing and growing the existing downtown services, which Amtrak calls one of the most successful to date. Many young people don't have cars and overwhelmingly favor rail or public transportation. Thank you, Madam Speaker.

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

Representative **MADIGAN**: Thank you, Madam Speaker. I want to agree with the Good Representative from Lewiston and also my colleague, the Good Representative from Waterville. And they make fine points and I want to talk about the neglect of Central Maine. I think the Representative from Lewiston is right. Economic development for this area, this would be a boon for us. I know I've heard people talk about the lack of population, not just the Representative from Guilford, but other ones as well, and I would ask you to take a look at all the housing development that's going on in Central Maine. We're trying like gangbusters to get more housing in there and build workforce housing and attract jobs. This would actually help that.

I would also like to add that before I lived in the bustling berg of Waterville, which everyone should come and visit, I lived in the big city of Bangor, which is far cooler now than when I lived there. But I am excited at what passenger rail can bring to Bangor. One of the things I heard consistently when I lived there, and now that I live in Waterville, is people would love the option to be able to get on a train and go somewhere, whether that's to Portland, whether that's to Boston or someplace else on the Northeast corridor. I think it's long past time that we start looking at what we can do for the folks in central interior Maine. Thank you very much, Madam Speaker.

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

Representative **THORNE**: Thank you, Madam Speaker. I rise in opposition to the pending motion. There was talk in the other end of the hall when I was up there the other day and this was being discussed and the town of Orono was mentioned, not stopping at Bangor. And I spoke with a former Town Manager at Hermon, who had previously served as town manager in Auburn, and talked about the lack of ROI. For anybody that's not familiar, that's the return on investment, of the actual money that will be spent. And I don't mean to derail the Good Representative's statement from Waterville, but if we had a boxcar full of money, we would still not have enough money to fund this after the fact.

Maine is a very susceptible to frost heaves, rail; and when we talk about high-speed rail, passenger rail, there's a lot of fluctuation and there's minimum and maximum speeds that any freight can go through. The town of Carmel just went through an increase in their maximum speed of 35 miles an hour; 35 miles an hour for a freight car going through Carmel, Maine. That was after millions of dollars of work on the rail system and the railbed, and replacing the system that was old, antiquated, digging up and replacing the foundation. Madam Speaker, I know that we all want mass transit, we all think of ourselves as big city, but we do not have the mass to support such an endeavor. I hope this is the end of the line for this bill. Please follow my lantern and vote no. Thank you.

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

Representative **ANKELES**: Thank you, Madam Speaker, Fellow Members of the House. I just went through my speech and crossed out about 50 train puns. I think they're all used up at this point.

I rise in support of the motion and in opposition to this legislation, which seems on the surface to be an innocuous directive to apply for a federal grant. But first, I want to acknowledge the bill's sponsors and supporters for giving voice to some things that so many of us have known for a long time. One; public transit is underfunded and public transit infrastructure is underbuilt. Two; public transit, especially local bus service, rural transit services and services for those with disabilities is an instrument of economic empowerment, not just for geographic regions but for individuals who need the ability to work, shop for the things they need, transport their kids or make it to critical appointments. And three; your income or physical condition shouldn't be a barrier to getting where you need to go.

My biggest problem with LD 860 is that nothing about it embodies any of those value statements. Nothing about this bill has any potential to serve those whose limited access to transportation makes life harder for them. In fact, nearly a large portion of every remaining budget priority or bill with a fiscal note in this building will do more to benefit the most vulnerable than this one will, regardless of which congressional district you live in. This bill, as amended, actually takes \$20,000 in public transportation funding to pay a consultant to facilitate filling out a grant application for federal funding from the Corridor Identification and Development Program to develop a brand-new rail expansion study. It forces the Northern New England Passenger Rail Authority to divert its time, energy and resources away from the critical work it is doing to upgrade existing passenger rail service to manage most of this process. This is work NNEPRA needs to do, not just to have a good service, but also because it is a critical way to build ridership, an essential foundation if there is ever to be any hope for a meaningful expansion.

But the legislation actually gets worse, Madam Speaker. It turns out that the federal funding available if we get this grant would not even cover the entire amount it would cost to develop a new rail study. The total amount allotted from the feds is \$500,000, but these sorts of studies and plans typically cost upwards of \$800,000 and the quotes are only going to go up. To have a successful grant application, we would have to commit to telling the feds how specifically we would fund the State-level match of \$108 million and how specifically we would fund the \$16-million-plus operational subsidy, which there is no federal match for. And then, you have to present the feds with the agreement we have with CSX to host the new service. An agreement, you guessed it, that doesn't even exist. But if, by magic, we had all that, the fact is that ridership is projected to peak at 15% of peak Downeaster ridership and that would immediately disqualify Maine's application, making all of this moot. The total capital costs for rail reconstruction and adaptation for passenger service could ultimately top out at \$900 million, an estimate that does not take into account recent stark increases in the cost of labor and materials. And again, there are also more than \$15 million in annual State subsidies to keep ticket prices from even coming close to pricing out people of even average means.

We keep hearing from the bill's supporters that the President's bipartisan infrastructure law is the reason now is the time to act, but that law doesn't even come remotely close to being a solution to this funding problem. It is not the Christmas tree some people have assumed it is, even though it has been tremendous for repairs and upgrades to existing passenger rail infrastructure.

Everything I've spoken about to this point makes it clear that taking the path this grant application would lead us down is neither viable nor sustainable, and there is no scenario under which it would not ultimately cannibalize several of the other transportation and non-transportation priorities that people all across this room care about. Which is why, when the DOT studied this, they strongly advised against this course of action. Yes, you heard me right, Madam Speaker, the study we're supposed to be directing NNEPRA and the DOT to undertake is already done thanks to the hard work of the 130th Legislature. But there are people outside this building who just don't like what it says. They can be very loud, they probably called many of you over the weekend, and these folks are counting on the fact that we all love trains; and we do; and that we all feel a certain nostalgia about them to the point where we don't bother to look below the surface of bills like LD 860.

In the best-case scenario, we get a really expensive excursion service to Boston and we've done nothing to help people get around affordably within and between the communities where they actually live and work, especially when it comes to the last mile. And again, there is no way train fares will even approach affordable when you're trying to compensate for the lack of population density. But wait, proponents say, this particular rail line has never been studied. Maybe not, but the demographics very much have been. But what about Rockland service? The pilot project testing out another excursion service to Rockland is a completely different animal, specifically a red herring. Among other factors, that line was already configured for passenger service and capital costs were far lower. Another red herring is the Gorham Connector. Whether you like it or loathe it, it is paid for by tolls. It was explicitly authorized by the Legislature and is a project of the Maine Turnpike Authority, which is completely separate from the DOT.

I wish this were *Field of Dreams, Ticket to Ride* edition, but it's not. If you want trains, the "it" in if you built it should be housing and all the other quality of life investments that attract a dynamic workforce and lift people up.

I've heard some proponents say, why is the DOT sticking us with buses; a question that is completely backwards. Buses are infinitely more flexible and affordable for the people using them and for Maine taxpayers. There's a good reason I spent five years on our Town Council trying to expand bus service, and not train service, to underserved parts of our town. And similarly, there's a good reason the DOT just launched Portland to Lewiston bus service as increasing the number of trips to Bangor.

I know people are frustrated. I know people are impatient. I know people in Waterville, Lewiston, Bangor and Brewer are fighting for their cities. I know it's just a grant application to fund a study, but it is better to just get all of this out there now instead of when we're already on the hook for hundreds of millions and still haven't helped anybody. This is, unfortunately, ill-conceived legislation, Madam Speaker, and I'll end there because there were train puns after.

The SPEAKER: The Chair recognizes the Representative from Pittsfield, Representative Collamore.

Representative **COLLAMORE**: Thank you, Madam Speaker. Madam Speaker, I'd like to pose a question through the Chair.

The SPEAKER: The Member may proceed.

Representative **COLLAMORE**: Madam Speaker, we heard the Good Representative from Brunswick mention NNEPRA and forcing them to do this. I'm just curious, has NNEPRA come out against this bill? Thank you.

The SPEAKER: The Member has posed a question to anyone who wishes to answer. The Chair recognizes the Representative from Dover-Foxcroft, Representative Perkins.

Representative **PERKINS**: Thank you, Madam Speaker. I didn't intend to speak on this, but after hearing the Good Representative from Brunswick, I felt it necessary to remind people that rail is very expensive in the cost of infrastructure. Rail doesn't move once you lay it. You have the cost of the rail, you have the cost of the switches, you have the cost of stations and once those things are in place, they stay in place. As opposed to something like buses, which can, you know, react and respond and be changed according to commuter needs. And as the Representative pointed out, you know, it's not that anybody is necessarily opposed to the need of public transportation, but the type and feasibility of that type of transportation. But I, too, Madam Speaker, if permitted, would like to pose a question to the Members through the Chair.

The SPEAKER: The Member may proceed.

Representative **PERKINS**: Has there ever been, in this country, any commuter rail system that would not exist but for ever-increasing government subsidies or that has not decreased service because of the reduction of initial budgeting?

The SPEAKER: The Member has posed a question to anyone who wishes to answer. The Chair recognizes the Representative from Arundel, Representative Parry.

Representative **PARRY**: Thank you, Madam Speaker. I just wanted to answer the couple of questions that came forward.

As far as NNEPRA being in support of or not, they were not in the original bill, they were neither for nor against in the original bill, but that was because they were not involved. They spoke about the study that had already been done, as memory serves, so, they didn't think it was going to go anywhere because we just finished the study.

As for any other rail, without subsidy, the only train service that actually shows a profit without massive subsidies is, I believe, the Acela train from New York to Washington. All the rest need massive subsidies to keep going.

The SPEAKER: The Chair recognizes the Representative from Newcastle, Representative Crafts.

Representative **CRAFTS**: Thank you, Madam Speaker. Madam Speaker and Fellow Colleagues in the House, I rise today in support of the pending motion. LD 860, as you heard, directs NNEPRA to apply for funding through the Corridor ID Program for the purpose of identifying the rail corridor that connects Portland with Lewiston, Auburn, Waterville and Bangor as a priority passenger rail corridor. The Corridor ID Program is a federal competitive discretionary grant program.

Rail enthusiasts have great reason to be excited about our federal government's focus on expanding passenger rail in this country. In December 2023, the Federal Railroad Authority announced \$8 billion in federal grants to expand passenger rail. As you can imagine, people got excited. To give you a sense of how they prioritize expansion projects based on both alleviating congestion and serving large resident populations, the awarded

projects include Raleigh, North Carolina to Richmond, Virginia, a total population of approximately 800,000 people; Richmond, Virginia, to Washington, D.C., a total population of approximately 950,000 people; and San Francisco to San Diego, with a combined city population of 2.2 million people.

In contrast, the proposed service cities in LD 860 have a total population of approximately 150,000 Maine residents. The significantly smaller population, in conjunction with our low-congestion highways in the identified region, indicate we are not appropriate applicants for the funding as proposed. In the last few years, you've heard today, Maine DOT has conducted multiple propensity studies on passenger rail expansion to both Lewiston-Auburn and Bangor. The results of these studies, costing the State and municipal partnerships around \$800,000, show projected low ridership numbers that don't qualify for federal discretionary funds. The reports also demonstrated extremely high capital costs for the expansion, somewhere between \$264 to \$349 million for Lewiston-Auburn and between \$375 and \$902 million to Bangor. In addition to the impracticality of qualifying for these funds, in order to be successful in the Corridor ID Program, an applicant in the initial application must show where matching funds will come from should a rail expansion project move forward. A 20% match is required for the program, and in these projects, the matching funds would range anywhere from \$75 million to \$108 million. To date, the State has not identified how this required State capital match would be funded. The Corridor ID Program provides only capital funds, and there are no operational funds available in the program. In fact, the application must identify a source of funds for the operational subsidy to operate the service on an ongoing basis. This operational subsidy is estimated to be between \$6.7 million and \$16.2 million annually, depending on the ticket price. In addition, an applicant must show there's an agreement with the host railroad, as the Good Representative from Brunswick already mentioned, and there is no current agreement with CSX.

To further meet any transit demands between Portland and Lewiston-Auburn and Bangor, as well as to be consistent with the results and recommendations of the most recent passenger rail studies mentioned earlier, the Department has worked with Concord Coach bus lines to add additional transit bus service between Portland and Bangor, which now totals six round-trips a day, and is introducing this year a scheduled commuter transit bus between Portland and Lewiston, with 12 round-trips a day. These transit services will cost an estimated \$2 million for Lewiston-Auburn and \$350,000 for Bangor, and will cost the user minimal amounts in bus fare to be subsidized by the State. The beauty of a new and expanded bus service is that it's nimble. Should it be determined that less or more service is needed, the Department will be able to accommodate such needs in a timely, fiscally responsible manner.

Fellow Colleagues, to spend any further State funding at this time to study rail expansion would be fiscally irresponsible. NNEPRA, the experts in our State's rail system and the entity that would be tasked with applying for funding, has testified and has spoken out in opposition of the bill. The most recent propensity study concluded in its final report in 2023 that the corridor has low population density, low transit demand and, therefore, a rail alternative would likely not provide intended equity or climate benefits. I'm optimistic that future proposals will bring collaboration and practical problem solving to some of our State's transportation and climate challenges. I respect the intention of the rail community and local municipal organizations and my fellow colleagues but, unfortunately, this proposal does not give us a practical means to the end result they're seeking.

I ask you to vote in support of the pending motion. Thank you, Madam Speaker.

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

Representative **SUPICA**: Thank you, Madam Speaker. I would beg to disagree with the Good Representative from Brunswick and Newcastle, but begging disagrees with me, and that's how I feel right now standing. I feel that Central and Northern Maine is constantly begging for support, so that our young people that grow up there don't leave. You know what I hear when I knock doors? This would be a better place if I had more access to public transportation. And not just the buses locally, because in Bangor, our bus system needs a lot of work, but the ability to leave and go to Portland, to go to Boston, to further their education, to further their economic development abilities.

Madam Speaker, I don't have a job right now because I'm serving here and I am broke. What little life savings I had, I have spent through. Every winter, I don't know how I'm going to pay my oil bill and I kind of put it off until, you know, we come back in session and then I get some checks, like, I'm living on the edge here, and a lot of people in my community are as well. Economic development for Central and Northern Maine would be wonderful. Every time I get an email from Indeed that talks about jobs in my region, you know where it says? Brunswick, Brunswick, Brunswick, Brunswick. I would love to see a job that pays me a good wage in Bangor. And so, that is why I am supporting a study today, and I hope that others will follow my light.

The SPEAKER: The Chair recognizes the Representative from Arundel, Representative Parry.

Representative **PARRY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. My good friend from Newcastle, the House Chair, and my good friend from Brunswick took my entire speech away. So, basically, I just wanted to reaffirm what they said. We just conducted a half-million-dollar study and it's; DOT is working on more transit as we speak and we need to try to fill buses before we can start trying to fill a train, especially a train that's going to cost almost a billion dollars that has no aspect of how we would ever fund the subsidy for the tickets. And so, I hope you can support the pending motion and, as everybody in the Chamber has seen, one thing about Transportation Committee is almost every bill is bipartisan and we work really hard to do that. Thank you very much.

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

Representative **WHITE**: Thank you, Madam Speaker, for allowing me to speak for a second time on this long day. I'd like to mention an email I recently received from the President and CEO of the Mid-Maine Chamber of Commerce and the Executive Director of the Central Maine Growth Council, Kimberly Lindlof. I will also note that Mid-Maine Chamber represents approximately 650 member businesses and organizations in 23 communities in northern Kennebec, southern Somerset, and western Waldo Counties.

The letter goes: Last week, I understand that there was a bipartisan vote to support LD 860. This would be the first time the whole corridor from Boston to Portland through Auburn, Lewiston, Waterville and Bangor would be studied. Sections have been studied in the past, but not the whole length. The purpose of this federal transportation funding program is to identify rail corridors that might be prioritized for Amtrak. The whole corridor, not just pieces. We think looking at this route that connects the three largest cities will show ridership high enough to qualify for federal funds to implement. Vermont, even

more rural than Maine, has applied for these grants and received them, so, we feel that Maine would have a good shot at securing these funds. Another fact is that this is only asking to write a grant to do a corridor study. The \$500,000 award would be 100% funded through this new federal rail transportation program. This could lead to greater opportunities to spur economic development. As a city with two colleges, Colby and Thomas College, and one very close by, Kennebec Valley Community College, we believe that not only would our students benefit, but new business startups would occur around the train station or stations, as happened in Brunswick when the rail extension occurred there, benefitting Bowdoin area businesses.

Mid-Maine Chamber of Commerce; the Cities of Waterville, Lewiston and Bangor; as well as the town of Fairfield, the Town of Winslow, plus area colleges have taken positions recently and in recent past in support of this effort.

Madam Speaker, I will close with a couple more thoughts. One, the \$20,000, my understanding is that is internal staff. So, I'm not sure; I'll leave it at that. It's people that are internally already being paid. So, I realize they're working on multiple projects. And I would like to ask; or I would like to mention the \$500,000 that we could receive from the program, if we don't take it, do you think it's going to go pay back the national debt, or go into a savings account? Likely not. Some other state will most likely get that money.

I'd also like to ask Members to think back to when you might've been considering college. For some of us, that was a long time ago. This is similar to when you might've applied to college or when your children or grandchildren applied. Didn't you encourage them to apply? Of course. Because we want our children and grandchildren to dream big. So, let's also dream big. Let's at least apply for these funds. Who knows what this might lead to in future years. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Brewer, Representative O'Connell.

Representative **O'CONNELL**: Am I the last one? I can't ask that? Okay. I'm just curious.

The point is; if you don't build it, they will not come. That's a fact. If you don't build it, they will not come. I've got friends in Bar Harbor, I've got friends in Winter Harbor, I've got friends in Dover, I used to have one in Carmel. I've got friends; oh, up in the County, I've got a trainload of relatives in the County that would love to be able to do what my vote wants it to do. You go to Hannaford, I go to Hannaford, and I'm going to tell you, every other question is, when are you going to get a train up here? What are you going to do to get us a train up here? Everybody in Brewer, that's what I get.

Seventy-five years ago, my grandfather sat over there, in Seat 19. He took the train from Van Buren to get here. He testified on the Floor of the House, he was stopped in Bangor and made friends with a guy, he was talking to him, the guy finds out he's in the Legislature. Well, the guy didn't have one kind word to say to him. That was back in 1949. So, I mean, I would like the opportunity at some point in time, maybe I'll be in a wheelchair, but I'd like to make the point to talk to a stranger in Bangor at a train station and tell them the good that we did right here in this Body, these people, to do something for the people of northern Maine, eastern Maine, Downeast, up in the County. I mean, if you don't build it, they will not come. That's the bottom line. We're asking for one small step. It's going to take baby steps. This is one small step, a federally funded grant. As the Representative from Waterville said, if we don't take it, somebody else sure will. You know that for sure. So, why can't we just take this? This corridor has never been studied. Just

take that grant money and do what we can and, maybe, it'll happen. We do a lot of stuff on maybe around here, so; I don't ask for much, I really don't, so, I'm just asking for a little bit of hope, a little bit of optimism, to maybe make us a good economic driver for my area. Please and thank you. Follow my light.

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. 431

YEA - Adams, Albert, Andrews, Ankeles, Arata, Ardell, Babin, Bagshaw, Bell, Blier, Boyer, Boyle, Campbell, Carlow, Carmichael, Cluchey, Copeland, Crafts, Cray, Davis, Dhalac, Dill, Ducharme, Dunphy, Eaton, Faulkingham, Fay, Foster, Fredericks, Galletta, Gattine, Gere, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hepler, Jackson, Jauch, Kuhn, Lanigan, Lemelin, Libby, Lyman, Malon, Mason, Millett H, Morris, Murphy, Ness, Osher, Parry, Paul, Perkins, Pluecker, Poirier, Polewarczyk, Quint, Riseman, Roberts, Sachs, Salisbury, Sampson, Sayre, Shaw, Sheehan, Simmons, Smith, Soboleski, Swallow, Terry, Theriault, Thorne, Underwood, Walker, White J, Wood, Woodsome, Zeigler.

NAY - Abdi, Arford, Beck, Bradstreet, Bridgeo, Cloutier, Collamore, Collings, Craven, Crockett, Cyrway, Dodge, Doudera, Drinkwater, Geiger, Golek, Graham, Gramlich, Hasenfus, Hobbs, Hymes, Javner, Kessler, Lajoie, LaRochelle, Lee, Lookner, Madigan, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Montell, Moonen, Moriarty, Nutting, O'Connell, O'Neil, Perry A, Perry J, Pomerleau, Pringle, Rana, Rielly, Roeder, Rudnicki, Runte, Russell, Sargent, Schmersal-Burgess, Shagoury, Sinclair, Stover, Strout, Supica, Warren, White B, Williams, Worth, Zager, Madam Speaker.

ABSENT - Brennan, Costain, Landry, Lavigne, Newman, Skold.

Yes, 82; No, 63; Absent, 6; Vacant, 0; Excused, 0.

82 having voted in the affirmative and 63 voted in the negative, with 6 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

HOUSE DIVIDED REPORT - Report "A" (6) **Ought to Pass as Amended by Committee Amendment "A" (H-852)** - Report "B" (6) **Ought Not to Pass** - Committee on **ENERGY, UTILITIES AND TECHNOLOGY** on Bill "An Act to Enhance Electric Utility Performance-based Ratemaking" (EMERGENCY)

(H.P. 1391) (L.D. 2172)

TABLED - March 25, 2024 (Till Later Today) by Representative ZEIGLER of Montville.

PENDING - **ACCEPTANCE OF EITHER REPORT.**

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

Representative FOSTER of Dexter **REQUESTED** a roll call on the motion to **ACCEPT** Report "A" **Ought to Pass as Amended.**

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

The SPEAKER: The Chair recognizes the Representative from Dexter, Representative Foster.

Representative **FOSTER**: Thank you, Madam Speaker. As I mentioned, I am standing in opposition to the pending motion. And in that regard, I'd like to address this by mentioning a few things that were said before the Committee during the hearing by some of those that were in opposition.

First of all, in opposition, Maine State Chamber of Commerce; and I will quote a couple of excerpts from their testimony. They started, let me begin by stating that the Maine Chamber of Commerce believes, when based on clear, measurable goals and metrics, performance reviews can yield positive results for ratepayers and utilities alike. While we recognize the benefit of performance-based rate making, the Chamber is before you today to testify in opposition, as we believe LD 2172 recreates work currently being done through the enactment of LD 1959, An Act Regarding Utility Accountability and Grid Planning for Maine's Clean Energy Future. And some results from measures set forth in that legislation will not be known until later this year. The Chamber recognizes the impact of inflation in a changing climate. We feel much of the work that previous legislation set out to achieve is still being realized. In addition to the standards adopted, the Commission has also put additional performance standards in place. Since the passage of LD 1959, utilities have submitted quarterly filings and later this year, an annual performance scorecard will be made available by the Commission. We feel it's important that we see how this process plays out and changes in goals and methods for review can and should be implemented in the future if necessary. The Maine State Chamber of Commerce appreciates the work currently being done by the commission and utilities to ensure cost containment and grid reliability for consumers and we believe that rather than recreating work being done, we should wait to see the results of LD 1959.

Madam Speaker, also testifying in opposition was the AARP of Maine. Quotes from their testimony before the Committee include, based on AARP's experience in many states, the more traditional base-rate regulation should continue to be relied upon instead of performance-based ratemaking. While there are legitimate pros and cons to this traditional form of regulation, there is no evidence that more complicated, multi-year alternative rate plans benefit consumers. Indeed, while appealing at the 30,000-foot level, deciding on and designing metrics is very complicated and time-consuming. Further, we risk rewarding the utility for doing its regular job. They went on to say, Maine's Statutory directives already require the Commission to consider rates that are just and reasonable, ensure adequate service and take into account Maine's climate change objectives. The grid planning directives recently adopted by the Legislature have not yet been implemented. We recommend that the Legislature monitor these recently adopted mandates prior to adopting potentially expensive, litigious and risky requirements for the exploration of performance-based rates.

And finally, out of testimony not before the Committee, submitted to the Committee after the hearing, I would read this. As you know, Maine currently has the newly adopted LD 1959 on the books. This law hasn't been given a chance to work. We all just went through a long-fought battle with the referendum. When does it stop? The level of uncertainty for the employees, union and non-union, is so stressful. From the company's perspective, uncertainty means risk, and that risk will surely affect things financially and in an adverse way. That, in turn, causes the union to believe our upcoming contracts would be negatively affected. In Connecticut, where they're doing PBR, the IBEW members from United Illuminating, another Avangrid company, opposed it strongly. I understand other Connecticut utilities have been downgraded because of it. Why not pause and give LD 1959 a chance before creating more legislation? Why not give it a year, then bring together the interested parties, including labor, to work through any issue in a collaborative

manner rather than a combative manner, what we'd call mutual gains. In the bill, it cites efficiency. What does that mean? Can I assume it could mean cutting employees? Is it trying to prepare for a storm and getting as many crews as possible ready and on standby, then the storm fades and criticizing the company for bringing in too many crews? How would Mainers react to that? I'd ask that you please consider the potential impact on labor and implore you to sign the jacket in opposition to LD 2172 by tomorrow's deadline. This was sent to us by Dick Rogers from IBEW, International Brotherhood of Electrical Workers 1837.

Madam Speaker, I would simply remind folks of the Good Representative who's the sponsor of this bill's request to wait and let what legislation was passed in the beginning of this Legislature last session in regards to NEB. If you recall, we had a bill that we were told we should wait and see how the bill that was passed was working before we did anything else, even though the costs to ratepayers right now are well above \$100 million a year for net energy billing. And, finally, Madam Speaker, I would simply point folks to the action that was taken in Committee. This bill came out of Committee with a vote of six to six on the Ought to Pass motion, which, as we know, means it was defeated in Committee, did not get the necessary votes for Ought to Pass. And I would recommend we do the same here. Thank you, Madam Speaker.

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

Representative **WARREN**: I rise in respectful opposition to the pending motion. Though I share every goal the bill supporters champion, I fear there is sufficient uncertainty and confusion about this bill's goals and its potential outcome to vote against this measure today. Though I would advocate for future efforts to study and achieve far more narrow and specifically defined performance-based ratemaking into PUC proceedings, I believe this bill, as written, is extremely radical and permissive in what it's allowing for and what it's asking us to allow for.

To begin with Section 1 of this bill, there's a permit to any performance-based ratemaking in any proceeding. Then, as if out of order, in sorts, in my own head, Section 2 begins with a process of studying performance-based ratemaking, a process that will take another year to produce results or recommendations to the Legislature. This section does not itself define any particular goal, and it asks the PUC to define methods or metrics to evaluate effectiveness of PBR but does not require those metrics or methods to be evidence-based. It would appear in the language of the bill that we might, in any successive proceeding, change the goals and methods of PBR from one period to another, which disallows us from measuring the effectiveness of whether PBR is, or will do what we intend and certainly hope that it will do. In this vein, Section 3 goes even further, permitting the PUC to use what are being called in the latest draft emerging-rate designs. This is defined as distinct from performance-based ratemaking that has no study of any kind or parameters to define when and how it will be permitted.

As I've heard from the IBEW union leadership, AARP, from the Public Advocate, the chief concern here with this bill, as it is written and before us today, is the amount of uncertainty it introduces into the ratemaking process. We cannot with any guarantee know the outcome of this legislation, and I believe that that is a potentially quite harmful consequence we must take seriously for elder Mainers on fixed income and utility workers alike. On the customer side, there is another huge gotcha we'd potentially leave customers with in the State of Maine. IOUs could say, thanks for giving us this huge sum of money from ratepayers to invest in initiatives to promote clean energy, but,

since our sales went down, your rates are going to go up. That guaranteed return is still there for our utilities, regardless of this bill as written. I am all for progressive policies to achieve better customer empowerment and the least amount of wasteful spending possible, but not without some far more clear and compelling pieces of evidence that the policy in question will do these things.

There are two states who have instituted a form of PBR as modeled and outlined here. The first is Hawaii, which has an integrated utility model which is fundamentally distinct from Maine's deregulated utility model as to be irrelevant structurally for our consideration for the purposes of this bill's direct material impact. The second is Connecticut, which has led to massive turmoil and uncertainty and confusion for ratepayers and union workers alike, which has spurred numerous legislative fixes and reforms.

I want to make sure that we get this right and I think it's worthy of consideration, but I do have a problem when advocates say the reason we've got to do this and now, this close to the end of session, with such a complex piece of legislation, is climate change. When I understand and appreciate that there is no particular metric in this bill that says performance is tied to making advances on climate change. And even then, I think we've got to be really careful and really feel a level of responsibility for the things we do in the aims and interests of climate change. That's the only way that we can be sure we're achieving a just transition. Though I respect the incredibly good intentions of this bill's supporters, I don't believe it is fair to the good people of our State to support the bill at this time and I feel compelled to speak in opposition to the pending motion at this time. Thank you.

The SPEAKER: The Chair recognizes the Representative from York, Representative Runte.

Representative **RUNTE**: Thank you, Madam Speaker, and Members of the House. I'm sure most of us have heard from constituents who are not happy with their electric utility for one reason or another. One of the major reasons why the utilities don't meet expectations has to do with the way we regulate them.

Regulation, something we sometimes don't pay enough attention to, is not the only reason why utilities underperform, but it's an important one, and here's why. If you think about it, all regulation is incentive regulation. The rules under which the utilities operate are 100 years old or more. They were meant to achieve a simple goal; incentivize massive growth and investment in a system so that anyone who wanted affordable electricity could get it. Those rules were successful, but times and our goals have changed. The regulatory structure has not. It never envisioned decarbonization, interconnection of local generation, new technologies and a network grid instead of a one-way supply system, all the while keeping our energy costs affordable as we proceed in these directions. So, is it any wonder that our utilities don't meet expectation if the rules under which they operate don't align with our goals?

LD 2172 attempts to solve this problem by directing the PUC to begin a process to define how we want our utilities to perform in the 21st century, as well as consider modern models of utility regulation that better align utility performance with these new goals. The process that's in this bill is deliberately flexible. It's dynamic and it's meant to give sufficient latitude to the PUC to adjust as we go forward. We don't know everything about our future and we need to be able to adjust accordingly.

Furthermore, LD 2172 is a process that includes all stakeholders, including unions, in shaping these goals, ensuring that the outcome is a balanced and forward-looking regulatory

structure. And I mention unions in particular, because if you think about it, and we've been told as we move forward, our grid is going to at least double in size and it's certainly going to increase in complexity. Somebody has to build and maintain this network. And so, I understand the concerns of Mr. Rogers at IBEW, but he's reflecting a really unique set of circumstances in Connecticut, where you have a Public Utility Commission that has turned regulation into an adversarial, punitive exercise and the unions there are genuinely concerned. That's not what's happening in other states that are doing this properly and, in fact, over the last five years or so, modern regulatory reforms on utility performance has begun in 17 other states and are showing early progress. And, contrary to what is happening in terms of risk of financing going up because of risk perception, in those states where PBR; performance-based ratemaking; systems are working, utilities bonds have been uprated, especially if you go to Hawaii, Minnesota, North Carolina, even Eversource in Massachusetts.

Now, there's no right way to do this. Every state's customizing their regulatory reforms to meet their own unique characteristics, and Maine has to do the same. And, in fact, the bill directs the PUC to consider establishing a policy group that would maintain awareness of evolving reforms and emerging regulatory systems that might have value for consideration in Maine. It's going to take time and considerable analysis and it's going to build on the foundation of the minimum service standards that were established in LD 1959.

LD 1959 will continue unabated as this whole process moves forward and downstream, the two systems will be merged. And very importantly, the PUC is on board with this. This bill was developed in close collaboration and with the support of the PUC, so that its implementation would be workable and complement the Commission's activities. All three PUC commissioners are in favor of this bill. It's a critical step towards a modernized grid that will serve us all and it promises to enhance the reliability and efficiency of our utilities while supporting our environmental and climate goals. And by setting clear expectations; this is part of the reason why some bonds have been uprated; we can stimulate investment in innovation in our utility infrastructure, benefitting all Mainers now and in the future. So, I urge your support for this bill. It addresses a number of challenges we face so that we have a sustainable energy future. Thank you.

The SPEAKER: The Chair recognizes the Representative from Dexter, Representative Foster.

Representative **FOSTER**: Thank you, Madam Speaker, for the opportunity. First of all, I will only say that, as stated in my earlier floor speech, the current legislation that was passed just last year, in effect, does some of this work. Secondly, just for the record, my recollection is that the PUC testified before the Committee, as they usually do, neither for nor against this bill. Thank you.

The SPEAKER: The Chair recognizes the Representative from Rockland, Representative Geiger.

Representative **GEIGER**: Thank you, Madam Speaker. I rise in support of the pending motion. Maine people spoke last year and resoundingly defeated a referendum to establish a public utility, but that does not mean that Maine people are happy with our utilities. Indeed, CMP continues to be voted last in the nation for service by its customers. December storms affected badly all of New England, including heavily wooded Vermont and heavily wooded New Hampshire. Yet, half the power outages in New England occurred in Maine alone.

The power sector is facing an upheaval. We are in the midst of transforming our grid infrastructure from a filthy,

expensive, fossil-fuel-powered, one-way electric grid, so vulnerable to increasingly extreme weather events like Saturday's storms and January's storms and December's storms, to a system that is built in with built-in resilience, independence, through networked clean-energy technologies like rooftop and community solar scale, electric batteries, electric vehicles, battery storage and controllable appliances. We cannot expect investor-owned monopolies to be proactive, collaborative, innovative partners in the clean energy transition without updating their century-old payment structures. Changing those incentives to align with the performance outcomes we need is fundamental, and that's why 17 states around the country have adopted similar performance-based reforms in recent years.

Voices in opposition argue that we are piling reforms upon reforms, and it is true that in 2022, we passed into law LD 1959, which created minimum service standards in areas of basic utility function like reliability and storm response, with penalties for poor performance. LD 2172 would complement that program and build on that experience by expanding into areas that more directly support our clean energy transition. We cannot expect a different outcome from what we have seen in the past; horrible service, more frequent and long-lasting power outages than any other state, foot-dragging on updating and expanding the grid, and forcing citizens and small businesses and communities wishing for community solar to wait years before connection. We must reward our utilities for moving in the direction we choose, not their global corporate masters choose. LD 2172 represents a measured approach to essential regulatory reforms. I urge you to vote for the pending motion. Thank you.

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

ROLL CALL NO. 432

YEA - Abdi, Ankeles, Arford, Bell, Boyle, Bridgeo, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dodge, Doudera, Eaton, Fay, Gattine, Geiger, Gere, Graham, Gramlich, Hasenfus, Hobbs, Jauch, Kessler, Kuhn, LaRochelle, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Montell, Moonen, Moriarty, Murphy, O'Neil, Osher, Perry A, Perry J, Pringle, Rana, Rielly, Riseman, Roberts, Roeder, Runte, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Sinclair, Stover, Supica, Terry, White B, Worth, Zager, Zeigler, Madam Speaker.

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Beck, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Cluchey, Collamore, Cray, Cyrway, Davis, Dill, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Golek, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lajoie, Lee, Lemelin, Libby, Lyman, Mason, Millett H, Milliken, Morris, Ness, Nutting, O'Connell, Parry, Paul, Perkins, Pluecker, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Russell, Sampson, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Theriault, Thorne, Walker, Warren, White J, Williams, Wood, Woodsome.

ABSENT - Brennan, Costain, Hepler, Landry, Lanigan, Lavigne, Newman, Skold, Underwood.

Yes, 67; No, 75; Absent, 9; Vacant, 0; Excused, 0.

67 having voted in the affirmative and 75 voted in the negative, with 9 being absent, and accordingly Report "A" **Ought to Pass as Amended was NOT ACCEPTED.**

Subsequently, on motion of Representative ZEIGLER of Montville, Report "B" **Ought Not to Pass** was **ACCEPTED** and sent for concurrence

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

ENACTORS

Emergency Measure

An Act to Provide Emergency One-time Relief from the Wild Blueberry Tax for Growers

(H.P. 1447) (L.D. 2256)
(C. "A" H-845)

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. 116 voted in favor of the same and 1 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Allow School Administrative District No. 52 to Issue Temporary Notes for a Wastewater Treatment Project

(S.P. 974) (L.D. 2257)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 115 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

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

(S.P. 959) (L.D. 2239)
(C. "A" S-584)

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. 125 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 Reduce Conflicts Between Landowners and Deer and Add an Additional Youth Deer Hunting Day

(H.P. 391) (L.D. 614)
(C. "A" H-851)

An Act to Require Public Employers to Provide Long-term Disability Insurance Coverage

(S.P. 479) (L.D. 1152)
(C. "A" S-592)

An Act Regarding Sales and Use Tax Exemptions for Durable Medical Equipment, Breast Pumps and Mobility Enhancing Equipment

(S.P. 480) (L.D. 1184)
(C. "A" S-593)

An Act to Increase Funding for the Prevention and Control of Invasive Aquatic Species

(H.P. 856) (L.D. 1342)
(C. "A" H-849)

An Act to Enhance Services Provided by the Department of Environmental Protection

(S.P. 822) (L.D. 1997)
(C. "A" S-594)

An Act Regarding the Placement of Portable Toilets

(S.P. 938) (L.D. 2201)
(C. "A" S-586)

An Act to Increase Funding for the Snowmobile Trail Fund and the ATV Recreational Management Fund

(H.P. 1463) (L.D. 2276)

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 Improve the Housing Voucher System and Reduce the Number of Voucher Expirations

(H.P. 1382) (L.D. 2158)
(C. "A" H-850)

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

An Act to Amend Certain State Tax Laws

(S.P. 856) (L.D. 2028)
(C. "B" S-596)

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

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

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

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

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

ROLL CALL NO. 433

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

NAY - Adams, Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Campbell, Carlow, Carmichael, Collamore, Cray, Cyrway, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Galletta, Gifford, Greenwood, Griffin, Guerrette, Haggan, Hall, Henderson, Hymes, Jackson, Javner, Lemelin, Libby, Lyman, Mason, Millett H, Morris, Ness, Nutting, Parry, Paul, Perkins, Poirier, Polewarczyk, Pomerleau, Quint, Rudnicki, Sampson, Schmursal-Burgess, Simmons, Smith, Soboleski, Strout,

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

ABSENT - Brennan, Costain, Hepler, Landry, Lanigan, Lavigne, Newman, Skold, Zeigler.

Yes, 78; No, 64; Absent, 9; Vacant, 0; Excused, 0.

78 having voted in the affirmative and 64 voted in the negative, with 9 being absent, and accordingly the Bill was **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**.

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

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

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

Representative **GRAHAM**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, I am grateful. I wanted to say this yesterday, because yesterday morning, as I was enjoying my first cup of coffee after several days of no power, I realized how grateful I was. I'm grateful for the return of the power that we didn't have for a couple of days and we had a broken generator, but even more grateful that I actually have a house to live in that's usually warm and safe. Something I can't say of many of the people in our State. I'm grateful for my fire and rescue company that allowed me to charge my phone. I'm even more grateful for the young mom and her child who provided coffee and donuts to the line workers, and that she taught that wonderful lesson of kindness to the people that were helping us. And I'm enormously grateful to our very own Good Representative from Brewer, who didn't take a personal day on Monday, he spent the day and the night to restore power to us. Lastly, Madam Speaker, I am grateful for the helpers, particularly after yesterday. I'm grateful to helpers who helped our Good Colleague from Portland. And I'd like to end with a quote from one of my most favorite people in the world, Fred Rogers. He said, quote; when I was a boy and I would see scary things in the news, my mother would say to me, quote, look for the helpers, you will always find people who are helping. Madam Speaker, I am so grateful.

On motion of Representative HEPLER of Woolwich, the House adjourned at 3:06 p.m., until 10:00 a.m., Thursday, March 28, 2024.