

# MAINE STATE LEGISLATURE

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ONE HUNDRED THIRTY-FIRST LEGISLATURE  
SECOND REGULAR SESSION  
34th Legislative Day  
Wednesday, April 3, 2024

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

Prayer by Parivash Rohani and Nasser Rohani, Baha'i Community, Portland.

National Anthem by Emily LaChapelle, University of Maine at Augusta.

Pledge of Allegiance.

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

The Journal of yesterday was read and approved.

**SENATE PAPERS**

**Non-Concurrent Matter**

Resolve, to Investigate and Address Municipal Solid Waste Disposal Services Issues (EMERGENCY)

(H.P. 1359) (L.D. 2135)

**PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-828)** in the House on March 19, 2024.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-828) AS AMENDED BY SENATE AMENDMENT "A" (S-612)** thereto in **NON-CONCURRENCE**.

Speaker TALBOT ROSS of Portland moved that the House **RECEDE AND CONCUR**.

Representative FAULKINGHAM of Winter Harbor moved that the Resolve be **TABLED** until later in today's session pending **FURTHER CONSIDERATION**.

Representative TERRY of Gorham **REQUESTED** a roll call on the motion to **TABLE** the Resolve until later in today's session pending **FURTHER CONSIDERATION**.

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

The **SPEAKER**: The Chair would like to announce at this juncture that the bell system is not working in every room of this building. The audio is. What that means is that you are responsible for being in this Chamber to take your votes and not to rely on a bell system that we now know is not working in every room of this building.

A roll call has been ordered. The pending question before the House is to Table the Resolve until later in today's session pending Further Consideration. All those in favor will vote yes, those opposed will vote no.

**ROLL CALL NO. 456**

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

NAY - Ankeles, Arford, Beck, Bell, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, 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, Osher, Perry A, Perry J, Pringle, Rielly, Riseman, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Sinclair, Skold, Stover, Supica, Terry, White B, Worth, Zager, Zeigler, Madam Speaker.

ABSENT - Abdi, Adams, Boyer, Boyle, Eaton, Galletta, Landry, Ness, O'Neil, Rana, Williams.

Yes, 66; No, 74; Absent, 11; Vacant, 0; Excused, 0.

66 having voted in the affirmative and 74 voted in the negative, with 11 being absent, and accordingly the motion to **TABLE** the Resolve until later in today's session **FAILED**.

The **SPEAKER**: The Chair recognizes the Representative from Orrington, Representative Campbell.

Representative **CAMPBELL**: Thank you, Madam Speaker, Men and Women of the House. I serve on two Committees, both are in crisis. The Department of Natural Resources Committee is struggling with what we do with municipal solid waste. And it's interesting; I've only been in and out of here for 31 years, but there was something that happened in the last two years, I wasn't here, where we banned out-of-state waste. That's a good idea to reduce the volumes of the landfills, but the ramifications of those actions brought us within two days of dumping sludge directly into the rivers that we've been cleaning up for 50 years.

So, back to the topic at hand; there was an amendment that was put on this bill in the other Body that, as a Member of the ENR Committee, we worked very, very, very hard to come out with a unanimous report. The biggest part of this that I have heartburn with is in line 17 of the amendment. The point is to make any discharge from the landfill into a river at drinking water standards. That's almost impossible. The river isn't drinking water standards. So, to be reasonable, yes, there is some technology in Madison that's getting us there, but we're not there yet. So, to amend this legislation, which will become law to a deadline of January 1, 2027, is almost impossible.

This is not an attack on the operator of Juniper Ridge. This is an attack on the solution of the State of Maine to deal with municipal solid waste. Yes, Juniper Ridge has an operator that many people don't like and they're in negotiations for their operation contract again, most people don't like them, but if we go back to the management contracts applications, years ago there were about three operators that were being considered, but only one filed an application. That's Casella Waste. The second under consideration was MRC. They now are in the process of operating Fiberight in Hampden, which is down. So, they're no longer a contender. So, we've got a contract expansion in one landfill, probably about the only one that we got left. Dolby will never happen; Jay was considered, now that consideration has been pulled. We don't have much landfill left. There are two parties in Juniper Ridge, one is our own Bureau of General Services, the other is the management group, Casella. If we lose one of those, then who's going to apply for the expansion that's necessary? We've got three years left in Juniper Ridge. If we get an expansion, we could have 14 years left. That's about all we got. The Legislature inserting itself into a corporate contract is not becoming, and if we lose that operator, who's going to do it? Oh, let's create our own management group at BGS. How's that going to work for you?

So, I would highly recommend that we vote against this. It would've been nice to table it so we could bring the parties together. I spent some time today talking to the DEP Commissioner and BGS; just give us some time to work this thing out. The problem is the imposed date. And the fact that State standards for drinking water is one thing, but the EPA is about to offer more standards that are going to be lower. And to attach this to a landfill? This is crazy. Thank you, Madam Speaker.

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

Representative **SOBOLESKI**: Thank you, Madam Speaker, Ladies and Gentlemen; there are a number of aspects of this that are troubling. The first one is that we've entered into a 30-year agreement with Casella to manage Juniper Ridge landfill and now, 20 years into it, we want to change the agreement on our end. I have to think about the message that sends to our other business partners that we are in contracts with. Are we going to go over to whoever provides us with our telephones, demand that company release all the information about who they do business with like this is asking for? They're asking that Casella release all the information on everyone they do business with, what their prices are, how much they make, who they're contracted with, to ensure that the State is getting a good deal. Are we going to do that with everybody that we deal with? That is a terrible message for us to send. It's important as being run as a business, like the State is, that our business partners are healthy, that they make a bottom line, they can treat their employees well and we can ensure that they're there to serve us for many years to come. And that puts that into jeopardy, this amendment does, for this bill.

As far as the leachate out of Juniper Ridge, I've been up there many, many times. There have been no breaches at Juniper Ridge. No violations of Juniper Ridge. Their leachate that they treat; they collect it, there's a balloon type at the bottom of those cells, it collects it and it's processed. We have a treatment facility, ECT2 in Madison, that takes leachate and it takes sewage and they treat it there with a number of different ways; foam re-fractionation, regenerative resin, single-use resin, carbon; the processes for treating leachate, they're moving along. There's been two studies done; one was an engineering study by Brown and Caldwell, and another was an engineering study that was done by the Bureau of General Services. They showed that we can make movement to treat leachate coming out of Juniper Ridge or any other waste facility that we have, but it takes time to implement. We can't rush into it. The unintended consequences are far too great to be able to do that.

The new amendment, Committee Amendment, would require, as a condition of an extension to the current operating service agreement between Casella and the Bureau of General Services, which expires in 2034, the operator of the State-owned landfill at Juniper Ridge to implement and operate technology that treats PFAS in our landfills to a drinking water standard. And, as the Good Representative here just explained, in two to three weeks, the EPA is coming out with a new set of drinking water standards. Right now, it's 20 parts per trillion, and that may be obtainable. According to GSA this morning when I spoke with them, they said that they think that that's going to be about a \$20-25 million investment at Juniper Ridge in order to get it just to 20. Going below that; unobtainable. So, if we have to go by what the EPA is saying, it's just not going to work at that facility at all.

As I said, it's wise for our business partners to be healthy; they do a really good job up there, they are in competition with Waste Management in Norridgewock. The competition between the two of them helps keep the prices stabilized, and forcing them into this position is going to have serious ramifications down the road. Casella was preparing to apply for a six-year extension to take their contract from 2034 to 2040. In that negotiation was determining the amount of space that they'll need necessary; 12 million cubic yards of additional space to take us through 2040. That was their PBD determination. Since this has come out, they've reduced that down to 7.5, they're not applying for the additional extension and they're asking for just enough space to take them to 2034. And we have a serious, serious problem if Casella steps away from Juniper Ridge. Who's going to run it? And it could end up in a serious nightmare of an environmental crisis for our State. We should let the professionals do their work, do their job unfettered, un-pestered by us, and vote no on this proposed bill. Thank you.

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

Representative **CYRWAY**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. It wasn't too long ago that I got a phone call from Kennebec Sewage Treatment Plant and they said that we are in serious trouble. It was just this last fall, and they called and they said, we have just a matter of days before it's going to overflow into the rivers; our sewage. And then, within just hours, they got 17 other sites was going to do the same thing. This was on a Friday. On Monday, we had 32 sites from Bangor to Kittery that were going to overflow in our rivers. We're talking about drinking water; we're talking about major pollution.

If we go and get rid of Casella, we're going to be in serious trouble. Right now, we need to do what we can to find other alternatives. Technology is probably going to be our answer, but not start from taking away what we currently have, we have to see what we can do to later on substitute and make it better. There are ways; I've actually been working with the University of Maine and different places with microwave plasma machinery that can actually go zero waste and actually zero emissions; there is the technology out there, it's just a matter of cost and trying to figure out, maybe do a pilot program, but there are ways to get that done. This bill is not going to be the answer. This bill is going to actually cause, maybe, a major catastrophe if we don't watch it. So, I just don't want to see that happen and, so, I am voting no for this bill and I hope everybody else does that, too. Thank you, Madam Speaker.

Representative **FAULKINGHAM** of Winter Harbor **REQUESTED** a roll call on the motion to **RECEDE AND CONCUR**.

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

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

Representative **FAULKINGHAM**: Thank you, Madam Speaker. Madam Speaker, this bill came out of Committee with a unanimous report. It passed in the House under the hammer on the Consent Calendar, and then it subsequently went to the other Body where it; just yesterday, where a Senate Amendment was added on, another Senate Amendment was attempted to be added on and it was exactly evenly divided in the other Body, 16-16. I think it's very concerning that the Members of the House haven't had time to properly react to, just, exactly the consequences of what this amendment does. I think it took a bill that seemed like it was going to easily fly through and added a Senate Amendment that might have some very severe

consequences and I just think we should slow up on adopting this amendment, Madam Speaker, so, I guess at this point in time, I would urge the Members to vote no on the pending motion. Thank you.

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

Representative **GRAMLICH**: Thank you, Madam Speaker. Madam Speaker, Colleagues of the House, I agree with my colleague, the Representative from Orrington. This was a unanimous report out of the Environment and Natural Resources Committee, and the Committee did a great deal of work. This was a bill that came to our attention from the Good Representative from Old Town, Representative Dill, who lives in one of the most impacted areas relative to the Juniper Ridge landfill. It was a fairly straightforward bill to address critical issues that the State's solid waste management system has. This was a technical amendment that came out of the other Body that would amend that the Department may not have an operating agreement with the Juniper Ridge and Casella unless it submits an application for public benefit determination for license expansion and have received a decision on that application from the DEP Commissioner.

Relative to the leachate and PFAS that we had been hearing so much about; it's no surprise to anybody in this Chamber, and certainly it's no surprise to folks in the Environment and Natural Resources Committee, that we have been doing a great deal of work on PFAS. We have been doing a great deal of work to remediate PFAS. It's important that we have a date for PFAS treatment and that we confirm that the public is going to have a benefit from the work we are doing to mitigate PFAS in the Penobscot River. It impacts fishing, it impacts our tribal communities, it impacts food and it impacts our public health. And this bill simply addresses that we will have testing PFAS in the leachate, it's critically important and I hope that we support the pending motion, Recede and Concur. Thank you, Madam Speaker.

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

Representative **DILL**: Thank you, Madam Speaker. Solid waste, as you've heard from everybody, is a serious, serious problem in the State of Maine. The Juniper Ridge landfill right now receives solid waste from 159 communities and, because of the situation with PERC and Fiberight not being operational yet, all that goes directly into the landfill. It is filling up and filling up fast. And I put this bill in to kind of stimulate the State into trying to figure out, on an expedited path, ways to deal with solid waste.

The bill did come out of Committee. Of course, I always look at us as legislators kind of as bakers. You put all the ingredients in to make your cake, you put it in the oven; which is the Committee; and you hope it comes out a cake, but a lot of times it comes out a pie. And I think that's kind of what may have happened here. I have agreed to the bill, I think it's exactly where we need to be going, but I've said right from the very beginning; my misgivings are with the PFAS levels. I don't believe, personally, as a scientist, we have the large-scale operating ability to get down to the drinking water standards and, as you've heard, they are going to be going down even further. So, that's the only thing; and I'm not asking anybody which way they want to go on this, I'm just saying we have a problem, it needs to be resolved. My concern is that if we don't pass this part of it, the whole bill will die and we need the bill, so, take it from there. Thank you.

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

Representative **FAULKINGHAM**: Madam Speaker, I would like to pose a question through the Chair.

The SPEAKER: The Member may proceed.

Representative **FAULKINGHAM**: Madam Speaker, I would hope somebody could have an answer for this question, but, does the technology exist to treat landfill leachate to a drinking water standard?

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

Representative **CAMPBELL**: The absolute answer to that question is no. But I've asked to speak for the second time, if I might.

The SPEAKER: The Member may proceed.

Representative **CAMPBELL**: Madam Speaker, Men and Women of the House, I totally agree with the Good Representative from Old Town. And, like mentioned before and like the Committee recognized, we are in crisis. And to make this operator of our landfill mandated to change the outflow into the rivers to drinking water standards is an impossible task, as we've all mentioned.

The Committee worked very hard on this and came out with a unanimous Report. And just to throw this additional; and January '27 isn't three years away. January '27 is the first day of '27. So, we've only got a couple years to do this. We're in '24; we're headed to half of '24, so, there's a year and a half, plus some time, to go, and I just think this is unreasonable and an amendment that is thrown on after it hits the floor has really not been analyzed. We're just asking for time to look into this before we actually pass an amendment that just came up.

The Committee is unanimous and very much in support of the Good Representative from Old Town, and he's right. This could deep-six a unanimous agreement from the Committee who's worked very hard on this. Please vote against this and go back to the unanimous Report out of Committee. Thank you, Madam Speaker.

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

Representative **DILL**: Thank you. I was just going to rise to answer the question about treating to drinking water standards. The small answer, and I mean small answer, is that yes, it is; and it is being done in the lab, it's being done on a small scale, but it has not geared up to a large scale that needs to be done here, so the bottom line is I don't think we can get there, so; at the moment. Hopefully we could by '27, but I don't know. Thank you.

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

Representative **FOSTER**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. In that regard, I would agree that we're not there yet. And I will just let you know that I'm not sure exactly how it is this year, but more than a little over five years ago, when I was still working at the Sappi fine paper mill in Skowhegan, just a few miles up the river from us, we had a very large environmental department to meet regulations from the various agencies on our both air and water emissions from that plant and we tested very regularly for both standards and the water that was taken out of the Kennebec River was put through sand filtration and other filtration systems to make it clean enough to use in the processes at that mill. And when that went through the sewage treatment plant on-site in that very large industrial facility, when it was returned to the Kennebec

River, testing showed that that water was cleaner than that that we were taking out of the river. However, in no way would they ever say that they were meeting the standards for it being potable water. Thank you, Madam Speaker.

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

Representative **SOBOLESKI**: Thank you very much, Madam Speaker, ladies and gentlemen. I'm on the Environment and Natural Resource Committee. I was there for the public hearing as well as the work session. There was no discussion at all about the contracts of Casella. There was no discussion about PFAS content in leachate. The discussion was about smell in the area; from the Old Town area; and about size and capacity. The things that are in this amendment, they never went before the public. It was never seen in a public hearing. This has come out of nowhere. The public benefit determination, as the Representative Gramlich said, has been amended now. It was 12 million cubic yards and now Casella; I'm going to say it again, I said it last time; that was based on a six-year extension to take us to 2040. Casella has withdrawn that now and gone down to a 7.5 million. They've said; just 10 years down the road. And in determination on landfills, it's a 12- to 15-year plan down the road on how they're going to do it.

Having our government get in the middle of the business that's being done by one of our business partners is a bad idea. We're telling them how to do their job. They know how to do their job; they're the professionals at doing their job. And saying that we can treat leachate down to drinking water quality in a lab; that's well and good, Ma'am, I appreciate that, but that is nowhere near what it's like coming out of a landfill. Like I said, the bladders that are in there collect it, the tubes that come out of the bottom of that bladder are this big. They're huge, where they collect this, and then they truck it away and they truck it for processing and it gets processed and it gets taken out.

The other aspect of this thing is this is on State land. We're going to take the PFAS out of it on State land. What do we do with the PFAS after that? We still own it, it's still there. Right now, one of the sources is to mix it into concrete. And what do we do there? We throw it right back into the landfill and eventually, it's going to deteriorate.

Another thing to keep in consideration, please, Ma'am, is that the leachate that comes out of the landfill isn't just from sludge that we put there. The biggest majority of it comes from consumer products. It comes from the rugs that we put there, all of the trash that we throw in there, and a lot of that we've just dealt with in our PFAS-in-products law to eliminate those and take those out of the equation.

So, considering those things there; as well as Norridgewock, which is Waste Management, has just received permitting to put an incinerator on that property, which will take care of a large portion of the sludge that's; which is the sediment and the residue that comes out of our sewage treatment plants, and it will be going there and being incinerated. So, the amount coming out of Juniper Ridge will be even lower as that time comes. And, again, I would like to ask my colleagues here in the House to please vote no on this, give us the time to put in a system that's correct, that's right, that we can sustain. Thank you.

The SPEAKER: The Chair recognizes the Representative from Saco, Representative O'Neil.

Representative **O'NEIL**: Thank you, Madam Speaker. I want to clarify that the decision before the Body is whether we Recede and Concur with an amendment proposed in the other Body. This bill does four things, and it was a unanimous vote, and the reason that we had to make this amendment in the other

Body was because two things didn't make it into our language and we missed it on language review. So, I spoke with the Good Representative from Orrington, the Good Representative from Old Town, with folks in the other Body and folks in our Committee to make sure that they were okay with this amendment that is before us. Because we got their approval, we moved forward and put it on in the Senate and now we're trying to put it on in the House.

So, that's the process that we went through to make this decision, and just to back it up, this bill was a unanimous report and it does four things. The first is it directs DEP to explore increasing capacity in another location, and it was a location that was identified by DEP, so, we all agreed on that, thought that was a good idea. The second thing was that; and this was based on impacted residents that came and talked to us about the landfill, they asked that we make sure that the State goes through what's called a public benefits determination process about expanding the landfill before we extend the operating contract. And what we found out through our process was that there really won't be a delay because they plan on signing it this summer. So, by going through a process that DAFS has already began, it will pretty much line up. So, folks felt comfortable with that and unanimously agreed to that second provision. And the third provision was to ask DEP and DAFS to identify opportunities to improve the contract with Casella. Folks unanimously agreed that that was a good idea to look at ways to improve the contract. And the fourth provision that you're largely hearing about was about treating Juniper Ridge leachate that is discharged into the Penobscot River to remove PFAS. And the reason that we unanimously agreed to do this piece as well is because the State of Vermont has required Casella to treat leachate in Vermont already, so, we knew that the same company operating in Vermont is required to do this, so, we said, we can do this in Maine, too. And we also had a report from Brown and Caldwell as a Committee that we reviewed and it showed that treatment to drinking water standard was possible. The bill that we unanimously voted on in the House already had that drinking water standard in it. This amendment just says; it just lines up with what we voted on in Committee, which was to say it should happen by a certain date, and that was what we voted on but it just didn't make it in, so, we're trying to fix it now.

So, those are the four things that we did unanimously, discussed in Committee and agreed upon in Committee, and I spoke with folks, you know, all the people you've heard from on the floor, to make sure that we got agreement before moving forward with it; otherwise, I wouldn't've done that. So, that's what the bill does and hopefully we have your support. Thank you.

The SPEAKER: The Chair recognizes the Representative from Paris, Representative Andrews.

Representative **ANDREWS**: Thank you. I'd like to pose a question to the Chair.

The SPEAKER: The Member may proceed.

Representative **ANDREWS**: Was this new amendment part of the bill for the unanimous committee vote? Thank you.

The SPEAKER: The Member has posed a question through the Chair to anyone who wishes to answer. The Chair recognizes the Representative from Saco, Representative O'Neil.

Representative **O'NEIL**: Yes, it was.

The SPEAKER: The Representative from Phillips, Representative Soboleski, having spoken twice requests unanimous consent to address the house for the third time. Hearing no objection, the Representative may proceed.

Representative **SOBOLESKI**: Thank you, Madam Speaker. I disagree. Those issues were not mentioned in our Committee hearing, either in the public hearing or in the work session. And the Brown and Caldwell report, where it said it is possible; that's in a lab, that's where that's possible. Improving contracts with Casella; it hasn't really improved our contract. They're looking at backing out, reduce their PVD, they've had enough of this. They're doing everything that they possibly can up there to make sure they run that facility in a respectful and responsible manner. And, once again, I would just like to say, the issues of Casella contracts of PFAS and the leachate being at drinking water; that was not mentioned in the hearing or in the work session and we had no discussion or no inclusion of Casella, the DEP or the public in those decisions. Thank you.

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

Representative **CYRWAY**: Thank you, Madam Speaker. I'm very concerned about this bill. After what I experienced and what I witnessed, I don't hear anything about including the sewage sites, the directors, on this additional amendment and I don't want to see our State ruined because of reckless legislation. So, I feel that this should be tabled, because if we don't, we could have some serious consequences, and I saw what was happening. Where it's sewage, it can be within days. It only takes once where Casella says, we can't haul it, or we're not going to haul it, and it only takes days and they will overflow. They don't have the capacity built at these sewage sites that we think we have. It only takes within four to five days, and then it goes into the rivers. We're talking about not just drinking water; we're talking about our fish industry, our recreational industry, our survival industry. So, I think this is very serious and I think we should take a breather and at least have this included with our waste site directors and take a look at this before we make a decision. Thank you, Madam Speaker.

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

Representative **PARRY**: Thank you, Madam Speaker, and Ladies and Gentlemen of the House. Just to; a little bit of clarity. If we were to vote down this Recede and Concur motion and then; we would Insist, I'm guessing; and that Insist motion would mean that we would have the original bill that the entire Committee agreed on. It sounds like with this, the amendment from the other Body that's come here, there is some confusion on what was talked about, what wasn't talked about, even with the lead for the Committee, even with the sponsor, so, there's a lot of confusion there. But I wanted to make it clear that, as I understand it, if we vote this down, we would still have the original bill that was unanimously voted on in Committee and we, I believe, unanimously voted it in this Chamber earlier. So, I think the only question here is this additional language that there seems to be confusion on, and I think we do need the underlying bill, I think that's very important, and I think that if we vote down this motion, then we can move to that underlying bill that it sounds like everybody agreed on. And if there needs to be changes, made down the road, those can be made down the road, but I think we should pass this underlying bill, vote against the Recede and Concur motion and go back to the original bill that we all supported in this Chamber. Thank you, Madam Speaker.

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

**ROLL CALL NO. 457**

YEA - Ankeles, Arford, Beck, Bell, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, Drinkwater, 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 J, Pluecker, Pringle, Rana, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Sinclair, Skold, Stover, Supica, Terry, Warren, Worth, Zager, Zeigler, Madam Speaker.

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

ABSENT - Abdi, Adams, Boyle, Eaton, Galletta, Landry, Williams.

Yes, 76; No, 68; Absent, 7; Vacant, 0; Excused, 0.

76 having voted in the affirmative and 68 voted in the negative, with 7 being absent, and accordingly the House voted to **RECEDE AND CONCUR**.

The SPEAKER: So, before we move on to the rest of our business, I wanted to give the Chamber an update, as I have promised that I would do, regarding the weather. And, as you all, we are continuing to monitor it, as well as our progress on our work. In all likelihood, based on current forecast, we will not be having session tomorrow. If so, we are faced with a decision, then, of whether to have session on Friday. Having session on Friday would allow us to chip away at the remaining of our work. However, it may force Members to travel to the State House through very, very difficult conditions, including a lack of power at their homes. So, additionally, we will not have session on Friday. Members should be prepared, however, for multiple sessions a day for the remainder of the session.

As you know, we will not have session on Monday, but your safety is of paramount importance to all of us, to me, your safety is of paramount importance to us. So, these are difficult decisions that had to be made. No doubt, there will be arguments on both sides, whether to cancel or to not cancel. However, I think this approach that we're taking is the best balance to ensure that everyone is safe and, while we still have a lot of work to manage, I trust that each of you will do your homework, will be prepared when we do return and that you will understand when we have to stay to complete our work so that we may adjourn according to the Statute on April 17th, that you will be full participants in trying to make that happen.

I just want to make sure that you know that, while it's a difficult decision to make, we are in the final stretch of our work together and it is absolutely important that we do so in a way that makes sure that everyone is still safe and healthy and that we respect each other in this process while we go through the

next very difficult couple of days with a lot of work to move through this Chamber. So, I ask you, over the next couple of days, to stay safe and warm and dry, but when we do return, that you return understanding that we have a lot of work to do and that you will do your best to remain respectful in this Chamber, under a lot of pressure, but that you remain respectful of the process and of each other. The Chair thanks you for that indulgence, and I hope that you do stay safe and dry and warm and that your families do so as well as we weather the storms ahead of us.

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**COMMUNICATIONS**

The Following Communication: (H.C. 468)

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

April 3, 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:"

Labor and Housing

L.D. 738 An Act to Establish a Paid Family and Medical Leave System

L.D. 1483 An Act to Protect the Rights of Agricultural Workers Marine Resources

L.D. 2275 An Act to Ensure That Rules Regarding the Atlantic States Marine Fisheries Commission Are Major Substantive Rules

Sincerely,

S/Robert B. Hunt

Clerk of the House

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

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

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**ORDERS**

On motion of Representative SAMPSON of Alfred, the following Joint Order: (H.P. 1474)

WHEREAS, the V-safe program is the vaccine safety monitoring system of the United States Department of Health and Human Services, Centers for Disease Control and Prevention, or "the CDC," and was initially launched in December 2020 to monitor the safety of COVID-19 vaccines and later expanded to include mpox vaccines; and

WHEREAS, since the launch of the V-safe program, 10,100,000 V-safe participants completed more than 151,000,000 health surveys about their experiences following COVID-19 and mpox vaccination; and

WHEREAS, despite V-safe program data's being public information, the CDC refused to release the data in response to a federal Freedom of Information Act request until after 2 lawsuits were filed in federal court and 440 days had passed since the data were originally requested; and

WHEREAS, the original data release showed that out of 10,108,273 users, 3,353,110 users either needed to seek medical care, could not attend work or school or could not perform daily activities following vaccination and there was a total of 2,108,022 reports of users' receiving medical care; and

WHEREAS, the CDC reported on V-safe program data received from users only during the first 7 days following vaccination despite serious injuries from the COVID-19 vaccine often taking more than 7 days to manifest, and adverse events reported to the V-safe program more than 7 days following vaccination were not publicly disclosed by the CDC; and

WHEREAS, batches of data the CDC was ordered to release of free-text entries made in the V-safe program's online survey, which contain information that does not otherwise fit into the survey, contain thousands of reports of chest pain, heart palpitations and shortness of breath, more than a thousand reports of tinnitus, hundreds of reports of menstrual disturbances and approximately 54 reports of miscarriage following vaccination, as well as other reports of medical problems; now, therefore, be it

ORDERED, the Senate concurring, that the Joint Standing Committee on Health and Human Services shall study the use of the V-safe program, including, with regard to COVID-19 vaccines:

1. Any failure of the United States Department of Health and Human Services, Centers for Disease Control and Prevention to properly collect and report V-safe program data;

2. Any deleterious effects from the Federal Government's failure to remove vaccine manufacturers' immunity from liability; and

3. Any public health and safety and efficiency issues related to COVID-19 vaccines.

No later than November 6, 2024, the Joint Standing Committee on Health and Human Services shall submit a report that includes its findings and recommendations to the First Regular Session of the 132nd Legislature.

**READ.**

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

Representative **SAMPSON**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. In December 2020, the CDC rolled out the COVID vaccine shot simultaneously with their new vaccine surveillance system called V-safe. Up to that point, VAERS, which is the Vaccine Adverse Events Recording System, which is a passive system created by the CDC; and by their own admission, they are saying it's not as effective for a surveillance system because people submit information after they have been injured or had an adverse event following a vaccine. So, V-safe is different. It is a detailed tracking system spanning over a full year. There are three categories for collecting data. One is the first week after the shot, reporting symptoms with a check-in-the-box format. Number two is for weeks one through six after the shot, and they have a check-in-the-box system called V-safe COVID Adverse Health Impacts. And thirdly, after a full 12 months of tracking folks after the shot, they have a free-text online survey format.

So, the CDC had over 10 million participants, a broad cross-section of people, who signed up for V-safe at the same exact time they got their first injection of the COVID-19 vaccine. These were excited participants, eager for this new, novel vaccine, and this was a way to show their civic duty. You probably all remember that between December 2020 and May 2020, when the vaccine was rolling out, we would see long lines of people standing, waiting to get their shots; the elderly, health care workers and other essential workers. People were

desperate to have the right to get the first shots. People were enthusiastically embracing this newly-rolled-out experimental shot. And the CDC collected information from over 10 million people for 12 months, then compiled their results.

It is likely the CDC did not expect the results they received. They did not willingly make this data public. So, Freedom of Information Act requests to the CDC were ignored several times and after two federal lawsuits, the CDC was ordered to release the check-in-the-box data. The first set of data collected basic information; addressing soreness, redness, swelling at sites, *et cetera*; and 60-80% of folks filling this out had general symptoms that the CDC stated were positive examples of the vaccines doing their job. It is interesting to note, however, the symptoms that were not on the list for the check-in-the-box on this first data format was myocarditis, pericarditis, chest pains, transverse myelitis, blood clotting, *et cetera*. It appears that the CDC was not honest or forthcoming.

Prior to December 2020 rollout, the CDC had their V-safe protocol to guide the design of their surveillance system. This was far more comprehensive than what was produced. The CDC had actually already identified the symptoms and conditions of concern. November 2020, one month prior to the launching of the V-safe surveillance system, the CDC published their Adverse Events of Special Interest Pre-Specified Medical Conditions document, and guess what they had included in that? Myocarditis, pericarditis, blood clotting, chest pains, transverse myelitis, acute myocardial infarction, anaphylaxis, Guillain-Barre syndrome, Kawasaki disease, multi-symptom inflammatory syndrome in children and adults, pregnancy and pre-specified conditions, seizures, convulsions, strokes, *et cetera*. In hindsight, these are all the symptoms that we've been seeing suddenly after the COVID rollout. Why, just one month later, did the released version of V-safe forms exclude conditions; the very conditions that they knew were a problem; in their check-in-the-box data collection process? The CDC knew before the December 2020 rollout that the COVID shot could cause life-altering conditions and yet, they removed those conditions from their surveillance system.

The second check-in-the-box system, which was the V-safe COVID Adverse Health Impacts, asked three questions. Number one; were you unable to perform normal activities? Number two; did you miss work or school? Number three; did you require medical attention? And it's this second system that was covered for the first six weeks after the shot that gave a lot of telling insight. Just keep in mind, I just have to note, that it usually takes about a week or more, at least, to see adverse reactions after a vaccine. So, those more than 10 million people who were the first in line, who were the eager enthusiasts, the believers in the shot and wanting it to work; they wanted it to be safe and effective, they believed it was a good thing and, therefore, would have no incentives to make up their stories. So, what did the data collection actually capture? This is CDC's unfiltered data, by the way, and if anyone wants this information, I will share it with you. Seven point seven percent, or 782,013 people, needed medical attention. Of those 7.7%, 70% needed to be hospitalized or went to the ER or urgent care. Slightly less than 30% needed telehealth care. On an average, each person needed medical attention two to three times. Additionally, 13% of the individuals reported they were unable to go to work or go to school, and about 12% were unable to perform normal activities. So, summing this up, this means 33% of unique individuals were affected by negative health impacts. That's 3.3 million individuals who were harmed. There was a total of 6.5 million health impact reports submitted.

So, the third data set; the CDC has recently been ordered to release its free-text entries in the V-safe online survey. Seven point eight million free-text entries will be released in small batches in the next many months to come, and they tell a much more detailed story. The initial batch revealed symptoms such as chest pains, heart palpitations, shortness of breath, more than a thousand reports of tinnitus, hundreds of reports of menstrual disturbances and approximately 54 reports of miscarriages following the vaccination, as well as other reports of medical problems.

Folks, this is alarming. This is a loud signal. This is a resounding alarm. People, in large numbers, are being harmed. So, where is our consumer protection? Oh, that's right, there is none. Since 1986, the National Childhood Vaccine Injury Act gives all vaccine manufacturers total immunity from legal action, so, consumer protection laws do not apply to this vaccine. The data are in, it is not safe and effective, and until the federal government removes the liability shield from the vaccine manufacturers, the COVID-19 shot must be removed from the Maine market. 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: The Chair recognizes the Representative from Guilford, Representative White.

Representative **WHITE**: Thank you, Madam Speaker. Over the weekend, I received communications from several of my constituents wondering why we voted down the study last week that would've addressed some of these issues. And though I will not question my colleagues, I do want to be on record letting everyone know that my constituents certainly do. Thank you, Madam Speaker.

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

Representative **QUINT**: Thank you, Madam Speaker. I would urge my colleagues to really pay attention or to reflect on the information that was just given. When I was first elected three and a half years ago, I put forward a bill that would put a pause on the vaccine from being mandated to people so that this information would be available. And as the Good Representative just shared, this information was hidden from the people of Maine. This session, last year, I also put in that same bill, and it was again voted down by this Body. And I'm just curious as to why we would not want to know this information; why we would not ask for it and demand it for the citizens when we mandated a vaccine for them to take. Thank you.

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

Representative **COLLAMORE**: Thank you, Madam Speaker. Madam Speaker, I've spoken about this before, when the Good Representative from Hodgdon brought up her bill to put a pause on the mandate, and I'll just remind Members when they're reflecting on how they're going to do this, that I'm a victim of injury from this vaccine that wasn't tested fully and didn't have all of the information and that I took it because I wanted to return to work. And I'm still plagued with the horrible issues in my heart and in my lungs that I cannot control and nobody can find a cure for, because I wanted to return to campus to be able to do my job on campus instead of off campus. And so, Madam Speaker, I just ask that you and the colleagues in this House keep in mind how important this kind of data is when deciding whether we should; and I'll let you know, Madam Speaker, I fought a long time not getting the vaccine, because I knew already that there was a potential for this issue. It was a year after it came out and



I knew there were issues; I still did it because I wanted so badly and fought and worked with my doctors to find out which of the three versions might have the least chance of harming me, and still ended up with a vaccine injury. So, please, Madam Speaker, as you consider what you're going to do with this Order, consider people like me who are still having health problems because they trusted that the data was already there, and it wasn't. Thank you, Madam Speaker.

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

Representative **ARATA**: Thank you, Madam Speaker. Madam Speaker, Ladies and Gentlemen of the House, this debate should occur in a Committee. There's a lot here to look at, a lot to verify, and I would prefer that this go through the Committee process in the future, and that is why I'm opposing this motion. Thank you.

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. 458**

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

NAY - Albert, Ankeles, Arata, Ardell, Arford, Beck, Bradstreet, Brennan, Bridgeo, Carlow, Cloutier, Cluchey, Collings, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, 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, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Sinclair, Skold, Stover, Supica, Terry, Warren, White B, Worth, Zeigler, Madam Speaker.

ABSENT - Abdi, Adams, Bell, Boyle, Campbell, Copeland, Eaton, Galletta, Landry, Riseman, Walker, Williams, Zager.

Yes, 58; No, 80; Absent, 13; Vacant, 0; Excused, 0.

58 having voted in the affirmative and 80 voted in the negative, with 13 being absent, and accordingly the Joint Order **FAILED PASSAGE**.

**SPECIAL SENTIMENT CALENDAR**

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

**Recognizing:**

Anne R. Stocco, of Belgrade, a senior at Messalonskee High School, 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 949)

Presented by Representative NEWMAN of Belgrade. Cosponsored by Senator POULIOT of Kennebec, Representative NUTTING of Oakland.

On **OBJECTION** of Representative NEWMAN of Belgrade, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

**Recognizing:**

David Goodwin, of New Gloucester, a member of Troop No. 135, who has attained the high rank and distinction of Eagle Scout. This is the highest award in Scouting and is given for excellence in skills development, leadership, personal growth and community service. We extend our congratulations and best wishes;

(HLS 955)

Presented by Representative ARATA of New Gloucester.

Cosponsored by Senator BRAKEY of Androscoggin.

On **OBJECTION** of Representative ARATA of New Gloucester, was **REMOVED** from the Special Sentiment Calendar.

**READ.**

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

Representative **ARATA**: Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House, I rise today to celebrate the remarkable achievement of David Goodwin of New Gloucester. David is a member of Scouts BSA Troop No. 135 and has attained the distinguished rank of Eagle Scout. For David's service project, he led a team of Scouts to repaint and rebuild the latticework and build and install new benches at the Town of New Gloucester's library gazebo. The next time you visit New Gloucester, please be sure to stop by and check out David's project. He did a wonderful job.

Now, I've known David Goodwin since he was just a little Tiger Cub Scout, and I'm so proud of him. It's a testament to his work ethic, dedication and willingness to help others that David has achieved so much at such a young age. He's made his Troop, his family and his entire community very proud. So, congratulations to David, and thank you, Madam Speaker.

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

**REPORTS OF COMMITTEE**

**Divided Reports**

Majority Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-633)** on Bill "An Act to Require Electricity Providers to Inform Customers of Alternative Electric Rates and Gather Consent Prior to Contract Renewal"

(S.P. 918) (L.D. 2163)

Signed:

Senators:

LAWRENCE of York  
GROHOSKI of Hancock  
HARRINGTON of York

Representatives:

ZEIGLER of Montville  
DUNPHY of Embden  
FOSTER of Dexter  
KESSLER of South Portland  
PAUL of Winterport  
RUNTE of York

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (S-634)** on same Bill.

Signed:

Representatives:

GEIGER of Rockland  
WARREN of Scarborough

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-633)**.

**READ.**

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-633)** 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-633)** in concurrence.

Six Members of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (S-636)** on Bill "An Act to Designate First Responders and Other Public Safety Professionals as a Special Risk Population for the Purposes of Improving Insurance Coverage for the Effects of Trauma"

(S.P. 199) (L.D. 444)

Signed:

Senators:

BAILEY of York  
RENY of Lincoln

Representatives:

PERRY of Calais  
ARFORD of Brunswick  
MASTRACCIO of Sanford  
MATHIESON of Kittery

Four Members of the same Committee report in Report "B" **Refer to the Committee on Labor and Housing** on same Bill.

Signed:

Representatives:

CLUCHEY of Bowdoinham  
CYRWAY of Albion  
PRINGLE of Windham  
SWALLOW of Houlton

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

Signed:

Senator:

BRAKEY of Androscoggin

Representatives:

MORRIS of Turner  
NUTTING of Oakland

Came from the Senate with Report "A" **OUGHT TO PASS AS AMENDED READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-636)**.

**READ.**

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

The same Representative **REQUESTED** a roll call on her 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 Calais, Representative Perry.

Representative **PERRY**: Thank you, Madam Speaker. LD 444 is a bill that would ensure that our first responders, who work together day in and day out to address public safety emergencies while voluntarily exposing themselves to situations that most of us hope never to experience, have specialized health coverage for preventive screenings. The repeated exposure to traumatic events is a known factor in shortening the life expectancy of our first responders. Some studies have shown that police officers have life expectancies in their 50s, while their civilian counterparts regularly live into their 70s and 80s. These brave individuals face not only physical challenges, but also significant mental and emotional burdens as they navigate the aftermath of emergencies. In fact, there are several presumptive injury categories for Workers' Compensation benefits linking to the role of firefighter, police officer, corrections officers, dispatchers and EMS providers to cardiac arrest, cancer and post-traumatic stress disorder.

LD 444 would not only enhance access to preventive health screenings, but it would also address the broader issue of mitigating the health impacts of repeated exposure to traumatic events. Instead of providing benefits once the first responder is ill, the bill would further to help keep them safe. We owe it to the brave men and women who put themselves in harm's way. The bill would make sure that the first responders are evaluated at their real health risks, regardless of the size or capacity of the agency they work for, their employment status or the insurance carrier. It also uses the well-established special population model to trigger appropriate screenings.

I am going to talk about a volunteer fireman who was a neighbor of mine, who, at the age of 47, shortly after a fire call, had a heart attack and is now being treated on a regular basis for heart disease. It certainly ended his ability to work as a firefighter and also affected his work at the time that he was going through this. This, I feel, is something we could prevent,

and we can prevent that by doing the testing early and giving them a chance to live into their 70s. Thank you.

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

Representative **MORRIS**: Thank you, Madam Speaker. I rise in opposition to the pending motion. As was said by the previous speaker, a lot of this stuff is covered under Workers' Comp and I just want to read some of the testimony from the Bureau of Insurance regarding this bill. Under the current system of Workers' Compensation Law, injuries sustained or illnesses contracted due to employment are excluded from health insurance coverage and instead covered by Workers' Compensation Insurance. This bill potentially disrupts that system by requiring carriers to cover costs associated with testing for workplace exposure. There are existing Workers' Compensation Laws that cover treatment for cardiovascular and pulmonary injuries and disease, heart disease and hypertension and cancer suffered by firefighters, and another law addressing mental injury caused by mental stress.

The testimony further continues, as it relates to health insurance, there will likely be a premium impact due to the fact that this bill adds a new benefit with limitations on utilization review and a prohibition on cost sharing to the qualifying enrollees. This bill also includes a new provider mandate, requiring carriers to accept claims from industry-recognized health and wellness providers regardless of whether they are in or out of network. Since out-of-network providers are allowed to balance bill customers and this bill removes that the lab services are at no cost to enrollees, the bill implies that carriers will pay these providers' full charges. So, this bill will impact our health insurance premiums.

Furthermore, under State law, any time we pass a new mandate in health insurance, it is supposed to go for a mandate review by the Bureau of Insurance. The Bureau of Insurance, in its testimony, did indicate it was willing to do a mandate review. That was not done by the Committee; that should have been done, that process should always be done when we're considering adding costs. Health insurance premiums are consistently rising. This bill will do more to make that more of a problem as well as the issue that this is already covered under Workers' Comp.

For those reasons, I would encourage this Body to reject this motion. We could certainly come back in the future sessions and look to address this issue in the correct and proper way by having a mandate study, understanding what the costs are going to be, not just to our insurance premiums, but also to our taxpayers. I would encourage this Body, again, let's reject this pending motion, let's go about doing this the right way. 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. 459**

YEA - Ankeles, Arford, Beck, Brennan, Cloutier, Collings, Copeland, Crafts, Craven, Crockett, Cyrway, Dhalac, Dill, Dodge, Doudera, Fay, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hall, Hasenfus, Hepler, Hobbs, Jauch, Kessler, Kuhn, Lajoie, LaRochelle, Lee, Lookner, Madigan, Malon, Mastraccio, Mathieson, Matlack, Meyer, Millett R, Milliken, Moonen, Moriarty, Murphy, Newman, 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, Skold, Stover,

Supica, Terry, Warren, White B, Woodsome, Worth, Zager, Zeigler, Madam Speaker.

NAY - Albert, Andrews, Arata, Ardell, Babin, Bagshaw, Blier, Boyer, Bradstreet, Bridgeo, Campbell, Carlow, Carmichael, Cluchey, Collamore, Costain, Cray, Davis, Drinkwater, Ducharme, Dunphy, Faulkingham, Foster, Fredericks, Gifford, Greenwood, Griffin, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lavigne, Lemelin, Libby, Lyman, Mason, Millett H, Montell, 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.

ABSENT - Abdi, Adams, Boyle, Eaton, Galletta, Landry, Lanigan, Riseman, Williams.

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 Report "A" **Ought to Pass as Amended was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (S-636) 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-636)** in concurrence.

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

**UNFINISHED BUSINESS**

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

An Act to Prohibit Unauthorized Paramilitary Training  
(H.P. 1354) (L.D. 2130)  
(C. "A" H-757)

TABLED - February 29, 2024 (Till Later Today) by Representative TERRY of Gorham.

PENDING - **PASSAGE TO BE ENACTED.** (Roll Call Ordered)

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

Representative **FAULKINGHAM**: Madam Speaker, just a question for a point of clarity first, and then, I'd like to speak. Is a Roll Call ordered right now?

The SPEAKER: Yes, a Roll Call is in order. The Member may proceed.

Representative **FAULKINGHAM**: Thank you, Madam Speaker. As we discussed before when we engrossed this bill, I have serious concerns, personally, about the constitutionality of this bill. I believe it infringes on multiple amendments; First and Second Amendment of the United States Constitution. I think it goes too far. I think it's an overreaction, a knee-jerk reaction to a group of Nazi extremists who happened upon Maine and are now gone. If that was a problem to be taken care of, I don't think this bill properly addresses that problem, and I think it could infringe on many law-abiding citizens and them practicing their constitutional rights. So, I would urge the Members to vote no on the pending motion. Thank you, Madam Speaker.

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

Representative **WHITE**: Thank you, Madam Speaker. I just want to point out that, today and one time last week, we recognized the achievements of a paramilitary organization. And yes, the Boy Scouts of America have always been a paramilitary organization and under this bill, an unauthorized paramilitary organization. The rank of Eagle Scout allows the opportunity for that Eagle Scout to gain one rank when joining our U.S. Military. That is, by definition, a paramilitary organization. And I would like to pose a question through the Chair.

The SPEAKER: The Member may proceed.

Representative **WHITE**: How is it that one would be authorized in paramilitary training?

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

Representative **ANDREWS**: Thank you, Madam Speaker. "Every citizen has the right to keep and bear arms and this right shall never be questioned;" the Maine Constitution, Article I, Section 16. This bill is unconstitutional. Thank you.

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

Representative **LIBBY**: Thank you, Madam Speaker. Madam Speaker, I wonder, as we vote on this bill, how those training others are to know intent. We talk a lot in this Chamber, even so recently as yesterday, if memory serves, about intent, and how it is impossible, in fact, to know someone's intent. So, I wonder, as instructors are instructing, how they are to understand the intent of what, I assume, must be hundreds and even thousands of individuals who are trained to use firearms in this State every year. I wonder how those doing the instructing are supposed to understand the intent. Do we have parameters built into this bill indicating how they should parse what a person might use that instruction for? Is there a guideline that says if someone uses these key phrases, they probably have ill intent? Is there some sort of indicator or barometer by which that intent can be judged? And I don't pose this as a question through the Chair because I suspect that the answer is no. I certainly don't see anywhere in this bill where that is defined. And so, I appreciate the Good Representative outlining the Constitution and presenting us with the supposition that this bill is, indeed, unconstitutional.

Between the fact that it is unconstitutional and asserts an impossible standard that we ourselves don't even have the bandwidth to accomplish here in the Chamber, I wonder how we then insist on that standard for Maine people who are just trying to do their job and instruct others in how to safely use firearms. It seems like; now, I'm not making assumptions or assertions here, Madam Speaker, but that seems to me like a bit of a double standard, to have one standard for this House Chamber and another standard for Maine citizens.

I appreciate that there are folks on both sides of the issue that understand the unconstitutionality of this bill, that appreciate that it is Maine's citizens' constitutional right to keep and bear arms and that that right should not be infringed. It should not be infringed because there is a media splash the prior summer that then encourages a piece of legislation to be put forward in a knee-jerk reaction; it should not be passed when Maine people have spoken up clearly, if one reads the testimony against this bill; it should not be passed for the simple fact, intent aside, that it infringes on Maine people's Second Amendment rights. So, whatever reason this may have been submitted; I will not further

speculate, but I encourage this Body to support this Constitution that we are here to uphold and to vote against the pending motion and vote for the rights of Maine people.

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

Representative **SALISBURY**: Thank you, Madam Speaker. Madam Speaker, I just want to take a moment to remind everybody what this bill is so we can focus on the bill and kind of avoid some speculation about what it does and doesn't do. And first of all, this does not interfere with anybody's ability to own arms. It does not impact you at all in that sense. I own arms and this would not impact my ability to own those.

What this bill does, and it very clearly states, is that a person is guilty of unauthorized paramilitary training if that person intentionally or knowingly teaches or demonstrates to another person or trains another person in the use, application or making of a firearm, explosive or incendiary device capable of causing injury to or the death of or techniques capable of causing injury to the death of another person. If the person teaching, training, or demonstrating intent or knows that that teaching will be used by that other person for the furtherance of civil disorder. I am confident that people that do train others in the use of using guns, or if they're teaching other people in self-defense, have a pretty good feeling of what the intention is of the person that's going to be using those newly acquired skills.

It also states that assembles with one or more persons for the purpose of practicing or being trained or instructed in the use, application or making of firearms; and it lists out the same things that we talked before; when it's intended for the furtherance of civil disorder. While my experience has been with the Girl Scouts, I'm assuming that with the Boy Scouts that it's the same; that you're not intending for those becoming Eagle Scouts or becoming a Boy Scout, that your goal is not the furtherance of civil disorder and I think that is really the defining moment with these bills.

The other thing that I want to make clear is we've heard a lot about, you know, American Legion halls or people teaching self-defense or people, again, Boy Scouts or Girl Scouts. I think that teaching people to use guns appropriately and safely and teaching people how to be aware of what's around them is not a problem. That's not the furtherance of civil disorder, and that's what we're trying to get at here with this bill; we're not trying to stop people from legally owning weapons or legally learning about those weapons, it's to create the further disorder which can harm others in our communities and really make our communities unsafe. Civil disorder; that's what we're talking about. We're not talking about the lawful use of these items. Thank you, Madam Speaker.

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

Representative **SOBOLESKI**: Thank you very much, ladies and gentlemen. The Ninth Amendment of our Bill of Rights states that the rights and protections I have under the Constitution are not the only rights and protections I have in life. Those are there to protect me from a tyrannical government. I also have the right to life, liberty, the pursuit of happiness. I also have the right to determine what I want to eat, where I want to go, where I want to live. I have the right to determine how I want to practice, rehearse, train or drill. This bill is a violation of my constitutional rights. Thank you.

The SPEAKER: The Chair recognizes the Representative from Paris, Representative Andrews.

Representative **ANDREWS**: Thank you, Madam Speaker. It's a right to keep and bear arms that shall never be questioned. Keep and bear arms. Bear means to train with these weapons,

these arms; otherwise they're useless, it's a diminishing skill. This bill infringes upon our constitutional right on a federal and a State level. It should be voted down by every Member in this Chamber today. Thank you.

The SPEAKER: The Chair recognizes the Representative from Monticello, Representative Ardell.

Representative **ARDELL**: Thank you, Madam Speaker. Whereas the United States of America was founded on what this bill would define as a civil disorder, I find it very likely that King George III would've been very, very supportive of this legislation. In light of that, I oppose enactment of this bill and I hope other Members of this Body will do the same. Thank you.

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

Representative **QUINT**: Thank you, Madam Speaker. Once again, I rise in opposition to this bill. I've spoken on it several times before, as this was, in fact, my district that started the hullabaloo, but I find that it seems to be more of people in other districts that had a problem with it and brought this bill forward. My concern is civil disobedience. What exactly is that? Who defines it and how frequently it can be changed? It can be very subjective, and I have concerns now with other gun legislation that is coming forward due to fear from what happened in Lewiston; that we are redefining the Constitution, technically, in Statute; the right to keep and bear arms. And, specifically, in the State of Maine, where that right is to never be questioned. We are beyond questioning, we're now saying for civil disorder. Civil disorder can be many things, but what happens if it disagrees with your certain political stance? We're talking about gun rights, so, open carry; is that civil disorder if someone's uncomfortable with that? Who defines this civil disorder? This is way too broad of a bill trying to focus in on a topic. As I've said before, there are no guardrails. This is unconstitutional and I ask that you vote this down.

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

Representative **BAGSHAW**: Thank you, Madam Speaker. I am also concerned about the constitutionality of this bill. I've had a number of people reach out to me with their concerns; the Second Amendment shall not be infringed. I'd like to pose a question to the House.

The SPEAKER: The Chair recognizes the Member but, unfortunately, I could not hear what you just said.

Representative **BAGSHAW**: Okay, I'll say it again. I'm also concerned about the constitutionality of this bill; the Second Amendment shall not be infringed. I've had a number of people from my district reach out to me on this particular bill, and I'd like to pose a question.

The SPEAKER: The Member may proceed.

Representative **BAGSHAW**: I remember signing a paper when I got sworn in; does anybody; it said something about the; defend and uphold the Constitution. Does anybody remember what that paper is that we signed when we got sworn in?

The SPEAKER: The Member has posed a question through the Chair to any Member who wishes to answer. The Chair recognizes the Representative from Guilford, Representative White.

Representative **WHITE**: Thank you, Madam Speaker. My colleague on the other side of the aisle read quite a bit of this bill, but she neglected to read the word that I had question on; the authorization of such activity. Madam Speaker, there is no such definition in this bill. The act of being authorized to perform a constitutional right is totally contrary to everything this nation is founded on and everything the State Constitution is founded

on. Madam Speaker, I'll be damned if I'll ask permission or authorization to exercise a God-given right.

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

Representative **UNDERWOOD**: Thank you, Madam Speaker. I have a question also for the Chamber. Basically, what grade level in junior high school should we start mandatory training of firearms?

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

Representative **STROUT**: Thank you, Madam Speaker. I rise in opposition, as I did last time. And, again, it's more for the clarification of how this will be enforced and who will be enforcing it. So, in rural Maine, we target practice, we go to fish and game clubs, we hoot, we holler, we do a bunch of stuff safely. So, if I'm interpreting this correct, it says three or more people; and if somebody new moves into the area not realizing that we're training our son to do proper shooting for hunting and we're encouraging and cheering and whatever, can that be interpreted by somebody that we're doing something to cause harm or create chaos? So, for me, it's not clear in here who this affects, who can enforce it, what the exceptions are and if that can't be clear, then I don't think we should have a law that just says that anybody can be interpreted to doing anything that may someday hurt somebody. Thank you.

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

Representative **HASENFUS**: Thank you, Madam Speaker. As I listen to this debate, it's occurred to me that I think one premise that needs to be brought to this Body is that in any prosecution, a prosecutor must prove every single element of that crime beyond a reasonable doubt. And here, the standard would be a knowing standard, which is the highest standard that a prosecutor must prove. And they would need to prove that an individual knew that they actually had knowledge, based on all of the evidence around them, that they knew or it was so likely that they should have known, that it can be inferred that anybody in that situation would know that.

And moreover, what they have to know is not that the Boy Scouts or that a nonviolent militia is practicing or training, what they have to know is that the training is intended to perpetrate an act of violence. So, if your intention is not to be violent, then you have absolutely nothing to worry about. In fact, there was an individual who represents a militia in Maine testifying before our Committee who was concerned about this and a question I asked that individual; I said, do you intend to be involving any acts of violence? And he said, absolutely not, we are not doing anything violent or against the law. And so, if that training is nonviolent, then there is no problem. And once again, I just want to reiterate that a prosecutor would have to prove that that individual doing the training with another person or group of persons had actual knowledge that that training was designed to perpetrate an act of violence. And there, I think, is where the balance in this bill comes from, act of violence.

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

Representative **THORNE**: Thank you, Madam Speaker. I rise in opposition of the pending motion, and I rise only because there's been plenty of speeches made, so, I won't make one of those speeches, but I just want to be part of this historical moment in Maine. This is about to pass along party lines, period. I know how the outcome is going to be. And I think back to the Civil War, the Revolutionary War, and think, if there was a legislation in place, why would anybody want to enact this prior to those two things? To prevent anybody from taking over the

current government. That's what it would be for. And you kind of have an eerie feeling that, maybe, the majority that's in power now is trying to make sure that nobody does that today. Thank you, Madam Speaker.

The SPEAKER: The Chair recognizes the Representative from Chelsea, Representative Lemelin.

Representative **LEMELIN**: Thank you, Madam Speaker. I just read through the bill and there's a couple of things people, regardless of; I know I'm not changing any votes here, I want to speak for my constituents who are going to ask me why I voted the way I did.

One, this bill is extremely subjective. It's poorly written and because of that, it is very, very easy for a group to be charged. As of a matter of fact, it's a no-brainer, it's a guarantee. The Representative just talked about violence. I read the bill and it doesn't say anything about violence; it says, with the intent to cause civil disorder. That's subjective. What's civil disorder to me is different than every single person in this Chamber. So, it's just a toss of the coin, do you get the right judge, do you get the right person at the right day, do they like you, don't like you; way too subjective. This is a very poorly written bill.

Number two, if three 18-year-old kids decide to get together out of foolishness and they do something which looks like paramilitary, and a liberal person comes up and says, oh my gosh, you're doing this for paramilitary, and they turn you in, those three individuals are going to go through a living hell. Why? They're just three kids that are just being foolish. Very unfair.

Number two, because of a bill yesterday, if a hundred 16- and 17-year-old kids do the same thing --

Representative **LOOKNER**: Point of Order.

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

Representative **LOOKNER**: Thank you, Madam Speaker. This is not germane subject matter to the bill at hand.

On **POINT OF ORDER**, Representative LOOKNER of Portland asked the Chair if the remarks of Representative LEMELIN of Chelsea were germane to the pending question.

The SPEAKER: The Chair would remind Members to limit their comments to the matter at hand.

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

The SPEAKER: The Member may proceed.

Representative **LEMELIN**: Thank you, Madam Speaker; I'll rephrase it so that it does have to do with it. If a hundred 16-year-old kids gather for paramilitary training and they are accused of paramilitary training, they are not brought before a judge; the DHHS will be called and these same kids will have a counselor come, a social worker, and discuss this with them. But yet, the 18-year-old is not going to get that opportunity. The same kids, same situation, same everything; but a 16-year-old kid doing the exact same crime, and they may even actually want to do civil disorder, they may actually want to hurt everyone, they may be trained by the most violent people in the country --

Representative **LOOKNER**: Point of Order.

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

Representative **LOOKNER**: Madam Speaker, I believe that the Good Representative from Chelsea is still not speaking to germane subject matter to the bill at hand.

On **POINT OF ORDER**, Representative LOOKNER of Portland asked the Chair if the remarks of Representative LEMELIN of Chelsea were germane to the pending question.

The SPEAKER: The Representative from Chelsea, Representative Lemelin, may proceed.

Representative **LEMELIN**: Thank you, Madam Speaker. So, this is a huge problem with this bill, Madam Speaker, and I ask everybody to really give this some serious thought, because what I said can and will happen. So, if a hundred kids do, at 16 years old, get the training that's right here before this bill; I can just read it to you; and it causes disorder and if they are trained; because one of them was trained by their dad and now they decide they want to train the rest of their friends, and so, they train their friends in firearms and explosives; Daddy's a military man, he knows it all, he trained his kid. He trained his kid for good reasons, but the kid doesn't have the common sense, so, he teaches the other kids paramilitary training. Now, the three 18-year-olds, they're just goofing off, but it sure looks like they're not. They are going to go through a living hell and the kids are going to get a social worker.

This bill is very unfair, this bill is very vague and this bill just doesn't do what it's supposed to do. So, I ask everybody to really give this some thought and realize that this is a huge mistake. I'm anti-guns. I don't care how many you own, I don't like them. There's none in my house. I'm pro-Second Amendment, but I'm anti-guns. And I don't want people doing paramilitary training, but this bill is ridiculous. Thank you.

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

Representative **BLIER**: Thank you Madam Speaker, may I pose a question to the Chair?

The SPEAKER: The Member may proceed.

Representative **BLIER**: Thank you, Madam Speaker. If a child comes home and tells his father that he's being bullied at school and his father teaches him how to protect himself and fight, who will be charged with the felony? The father, the child or both?

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

Representative **LIBBY**: Thank you, Madam Speaker. Madam Speaker, we have heard a lot today thus far, perhaps we'll hear more, about the Second Amendment and how this bill is unconstitutional in regards to it. But I would like to posit that it is unconstitutional for more than just the Second Amendment, Madam Speaker. The First Amendment gives us the right to free speech; but not just free speech, the right to association. Madam Speaker, that means that we have the freedom to associate with others who have similar political, religious or cultural beliefs.

When I stood earlier, I alluded to an article, several articles, that came out last summer. So, let's talk about the Nazis. I would like to know; although I'm not posing a question through the Chair, I would like to know what they did that was illegal. I would like to know what they did, in detail, if folks would like to share, that was wrong; that infringed on another person's right. Holding a rally, and even holding a rally with guns, is not illegal. That is within our rights, Madam Speaker. Now, we don't have to like what said Nazis did, we don't have to like what they stand for, we don't have to agree with their positions, we don't have to think well of them. But you know what we do have to do? We have to protect their First Amendment right to free speech and association. That is our job. It is the duty of government; whether we like them, whether we like the issue, whether we

agree with them; it is our duty to protect the Nazis' right to free speech and association, as long as it does not infringe on someone else's right. As long as they are not harming someone else.

Now, if this bill passes, you could say that Nazi group intends to incite fear and disorder. How we define civil disorder is very important; it's critical. This bill paves the way for an infringement not just on one constitutional right, Madam Speaker, but on multiple constitutional rights. And that is absolutely key here. Definitions are easily changed, now and in the future, and one definition, one interpretation by one Attorney General may not be the same as another. This Legislature could see fit to change that definition in the future.

Some years ago, I watched the movie *Minority Report*. And the fact that this bill authorizes the Attorney General to bring civil action against a violator to restrain or prevent gives me great pause. To restrain or prevent; add that to a murky definition of civil disorder and I see a lot of latitude being given to infringe on our First Amendment right to free speech and association. Madam Speaker, I would say for that reason, even more than protection of our Second Amendment rights, that it is protection of our First Amendment rights that we should support today. If we lose the right to free speech, if we lose the right to association; Madam Speaker, that is one of the things that sets our nation apart; that makes us an example and a beacon. I think we can all probably agree in this Chamber and have similar thoughts about the group of Nazis that inspired this bill, but I hope that we also have similar thoughts about protecting Maine citizens' right to speak freely and to associate freely, whether we like how they use those rights or not. Thank you, Madam Speaker.

The SPEAKER: A roll call having been previously 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. 460**

YEA - Ankeles, Arford, Beck, Bell, Brennan, Bridgeo, Cloutier, Cluchey, Collings, Copeland, Crafts, Craven, Crockett, Dhalac, Dill, Dodge, Doudera, 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, Montell, Moonen, Moriarty, Murphy, O'Connell, Osher, Perry A, Perry J, Pringle, Rana, Rielly, Roberts, Roeder, Runte, Russell, Sachs, Salisbury, Sargent, Sayre, Shagoury, Shaw, Sheehan, Skold, Stover, Supica, Terry, White B, Worth, Zager, Zeigler, Madam Speaker.

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

ABSENT - Abdi, Adams, Boyle, Eaton, Galletta, Landry, Riseman, Williams.

Yes, 72; No, 71; Absent, 8; Vacant, 0; Excused, 0.

72 having voted in the affirmative and 71 voted in the negative, with 8 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**.

**SENATE PAPER**

The following Joint Order: (S.P. 999)  
**ORDERED**, the House concurring, that when the Senate and House adjourn, they do so until Tuesday, April 9, 2024 at 10:00 in the morning, or until the call of the President of the Senate and the Speaker of the House, respectively.

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

**REPORTS OF COMMITTEE**

**Divided Report**

Eight Members of the Committee on **STATE AND LOCAL GOVERNMENT** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-913)** on Bill "An Act to Address Chronic Understaffing of State Government Positions" (EMERGENCY)

(H.P. 1345) (L.D. 2121)

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 to Pass as Amended by Committee Amendment "B" (H-914)** on same Bill.

Signed:

Senator:

LYFORD of Penobscot

Representatives:

ADAMS of Lebanon  
 GREENWOOD of Wales  
 POMERLEAU of Standish

One Member of the same Committee reports in Report "C" **Ought Not to Pass** on same Bill.

Signed:

Representative:

UNDERWOOD of Presque Isle

**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 Boothbay, Representative Stover.

Representative **STOVER**: Thank you, Madam Speaker. LD 2121 speaks to the chronic understaffing of State government positions by addressing issues of recruitment and retention, while also putting equitable pay scales into place. This bill requires that the Department of Administrative and

Financial Services submit an annual vacancy report of job vacancies to the Legislature each January. It also allows for the recruitment and retention compensation adjustments and requires the use of third-party mediation when agreement cannot be reached between labor and management. It also requires that the Bureau of Human Resources within DAFS works with members of the public and private sector to establish improved recruitment for State positions and plans to improve the State agency hiring process.

The current classification and compensation system for State employees was put into place in the '70s and was to be reviewed every 10 years. This has not happened. Questions and discussions about compensation have been studied as recently as 2020 and it is time that we put those recommendations into place. Although we have made some progress, there are significant recruitment issues and State employees remain underpaid when compared to similar government and private sector employees. Other than legislatively-required action in 2019 and 2020 regarding classifications, it still has not yet been completed. Madam Speaker, we have kicked this can down the road long enough, and I urge you to vote for the Ought to Pass as Amended Report. 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 Wales, Representative Greenwood.

Representative **GREENWOOD**: Thank you, Madam Speaker. I rise in opposition to the pending motion for numerous reasons, but certainly not for the reason that I don't support State workers. Madam Speaker, I have an immediate family member that is a State worker and has talked to me extensively about this bill, but I still can't in good conscience support this. Reason number one; we can't afford it. Reason number two; the union has failed its membership in negotiating. Madam Speaker, we had over 50 State employees come before our Committee, begging for help. The reason they're begging for help is because their union is not negotiating for them.

Madam Speaker, we heard from the Department of the 2022 State of Maine Workforce Engagement Survey. What are the top five reasons employees came to work for the State of Maine? The benefits, number one. Job security, number two. The opportunity to make a difference for the people of Maine; that was number three. Number four, the work seemed interesting. And number five, public service was important to them. Seventy-one percent of State employees are generally satisfied with their jobs. Eighty-seven percent of them see their work as adding value to the people of Maine. Eighty-seven percent feel their supervisor treats them with dignity and respect.

So, what's happened over the last five years? As reported from the Commissioner, pay has been increased by not less than 24.1%, and many as high as 29% or more. The State has made progress in this area. Maine offers a platinum-rated health plan with low employee monthly premiums, a low deductible, a low out-of-pocket max, high benefit levels, affordable dependent coverage, as well as dental and vision insurance. Madam Speaker, the State offers 13 paid holidays, 12 paid sick days and a minimum of 15 paid vacation days each year. We also now provide six weeks of paid parental leave upon the birth or adoption of a child, and child care reimbursement for up to \$2,000 for those with the adjusted gross income; family income of \$60,000. Madam Speaker, we support our workers.

And I'll close with; you can't use a one-time appropriation to pay for the increases, as this bill proposes, because that gets folded into the future years' baseline. The ongoing biennial impact of appropriating \$165 million to the salary plan, which only covers the General Fund headcount, would be \$570 million biennially. For that reason, ma'am, I cannot support the pending motion. However, I do offer some of the concerns that were sought from those, we did agree to a compromise, which was not the Majority Report, but there is a viable option on Report "B" that allows for a vacancy report to be added, we're fine with the recruitment and retention adjustments task force, which would provide eight members from the eight different bargaining units. Madam Speaker, there is a better option, but unfortunately, this Report is not the one. Thank you.

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

Representative **FOSTER**: Thank you, Madam Speaker. I stand in opposition to the pending motion. Ladies and Gentlemen of the House, once again, I find that we are placing ourselves in between negotiating parties; between the employer and the employee represented by their union negotiators. This is not the job of the State Legislature. Whether it's at the local level, such as in your local School Board, or it's here at the State level for State employees, negotiations between the parties is just that. It's between parties that understand the situation very well, they understand what their members need and might accept, they understand what their bosses or their owners or, in this case, taxpayers might be able to afford and might accept.

It is best that we leave them to that, to that work, and that we stay out of this. And I'll just give you one example of where this comes into play on a local level; and I understand this is a State level, but certainly we do not know all of the reasons that the negotiators of the employer have taken the positions that they have, and we probably don't fully understand all of the wants and needs of the employees. But, for example, at the local level, when negotiating when a business, a large employer in the community, leaves that community and leaves many of the townspeople out of employment, whether they run a restaurant, a store or they actually are employed by that employer, such as Dexter Shoe, the local negotiating for the local school contract takes on a whole new light. And anything here in the Legislature we might consider for that would be out of bounds. And I can tell you from past experience, it's very important at that local level and, in this case, at the State level, we leave the negotiations to the parties that are supposed to be doing so. That's why we have union representation for State employees, that's why the taxpayers have folks at the State employer level, to handle those negotiations. They know best how to do that and what the opportunities are and what can't be done. Thank you, Madam Speaker.

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

Representative **BRADSTREET**: Thank you, Madam Speaker, Ladies and Gentlemen of the House. When I looked at this bill at the beginning, I wasn't very inclined to vote for it. However, you know, some points were brought out by the Good Representative from Wales and the Good Representative from Dexter, which really, I think, should rule the day here in this particular bill. It really does call for binding arbitration and that's something that we should never entertain. I agree completely that things need to be addressed and looked at, the situation, there are some remaining issues, so therefore, I urge everybody to vote against the pending motion. I would like to see us get to Report "B." Thank you, Madam Speaker.



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. 461**

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

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

ABSENT - Abdi, Adams, Boyle, Eaton, Galletta, Hobbs, Landry, Millett R, Riseman, Runte, Williams.

Yes, 74; No, 66; Absent, 11; Vacant, 0; Excused, 0.

74 having voted in the affirmative and 66 voted in the negative, with 11 being absent, and accordingly Report "A" **Ought to Pass as Amended** was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-913)** 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-913)** and sent for concurrence.

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**CONSENT CALENDAR**

**First Day**

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

(S.P. 850) (L.D. 2022) Bill "An Act Updating References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised Statutes" (EMERGENCY) Committee on **TAXATION** reporting **Ought to Pass**

(S.P. 873) (L.D. 2072) Bill "An Act to Amend the Laws Governing Motor Vehicles" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-642)**

(S.P. 880) (L.D. 2087) Bill "An Act to Protect Property Owners by Preventing the Use of Eminent Domain to Build Transmission Lines Under the Northern Maine Renewable Energy Development Program" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-638)**

(S.P. 919) (L.D. 2164) Bill "An Act to Establish the Maine-Ireland Trade Commission and Improve Collaboration with Ireland" Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-637)**

(S.P. 970) (L.D. 2250) Bill "An Act to Allow the Department of Corrections to Comply with the Federal Prison Rape Elimination Act of 2003" (EMERGENCY) Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-635)**

(S.P. 971) (L.D. 2253) Bill "An Act to Authorize a Stop-work Order Regarding an Activity That Is Creating a Substantial Adverse Impact to a Protected Natural Resource" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-640)**

(H.P. 1245) (L.D. 1937) Bill "An Act to Remove the Confidentiality of the Transportation of Hazardous Materials by Railroad Companies" (EMERGENCY) Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-912)**

(H.P. 1305) (L.D. 2043) Bill "An Act to Add the State of Maine to the Compact for Licensing Physician Assistants" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-908)**

(H.P. 1413) (L.D. 2205) Resolve, to Require the Public Utilities Commission to Initiate a Feasibility Study to Evaluate Transmission Technologies and Siting Locations for Any Future Electric Transmission Line Proposed Pursuant to the Northern Maine Renewable Energy Development Program Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-909)**

(H.P. 1432) (L.D. 2233) Resolve, Regarding Legislative Review of Chapter 255: Workers' Compensation Fronting Companies, a Late-filed Major Substantive Rule of the Department of Professional and Financial Regulation, Bureau of Insurance (EMERGENCY) Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-907)**

(H.P. 1454) (L.D. 2265) Bill "An Act to Implement Recommendations Resulting from the State Government Evaluation Act Review of the Department of Professional and Financial Regulation" Committee on **INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-906)**

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

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

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

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**ENACTORS**

**Emergency Measure**

An Act to Change the Requirement for Edible Cannabis Products to Be Stamped or Embossed on Each Serving with a Universal Symbol

(H.P. 1371) (L.D. 2147)  
(C. "A" H-880)

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. 102 voted in favor of the same and 33 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

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**Acts**

An Act to Provide Funds Necessary for the Production and Delivery of Election Materials by the Secretary of State and to Reconvene the Working Group to Study Polling Places at Schools

(S.P. 153) (L.D. 332)  
(C. "A" S-628)

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)  
(H. "A" H-899 to C. "A" H-853)

An Act Regarding Public Higher Education Funding in the State

(S.P. 885) (L.D. 2092)  
(C. "A" S-626)

An Act to Develop a Grant Program to Provide Career Exploration Opportunities to Youth in the Community

(H.P. 1408) (L.D. 2197)  
(C. "A" H-888)

An Act to Establish a Civil Rights Unit Within the Office of the Attorney General and Require Enhanced Ongoing Civil Rights Training for Civil Rights Officers

(H.P. 1417) (L.D. 2210)  
(C. "A" H-877)

An Act Regarding Quality of Care and the Board of Trustees at the Maine Veterans' Homes

(H.P. 1418) (L.D. 2211)  
(C. "A" H-882)

An Act to Prohibit Receiving Compensation for Assisting a Person to Obtain Veterans' Benefits Except as Permitted Under Federal Law

(S.P. 976) (L.D. 2259)  
(C. "A" S-619)

An Act to Clarify the Use of Public Equipment on Public Easements

(S.P. 982) (L.D. 2264)  
(C. "A" S-622)

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 Establish a Process to Evaluate the Family Team Meeting Model

(S.P. 354) (L.D. 857)  
(C. "A" S-632)

Resolve, to Require the Establishment of a Stakeholder Group to Examine and Improve the Recruitment, Retention and Wellness of Law Enforcement Officers

(S.P. 887) (L.D. 2094)  
(C. "A" S-623)

Resolve, to Expedite and Improve Reimbursement to Certain Private Nonmedical Institutions

(S.P. 965) (L.D. 2243)  
(C. "A" S-631)

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

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The SPEAKER: The Chair recognizes the Representative from Chester, Representative Javner.

Representative **JAVNER**: Thank you, Madam Speaker, permission to speak on the record?

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

Representative **JAVNER**: Thank you, Madam Speaker. Five years ago, District 29 lost a very good man. Today, on the anniversary of his death, we remember the life and career of Detective Benjamin J. Campbell. Detective Campbell was killed in the line of duty when he was struck by a vehicle tire while assisting at the scene of a disabled vehicle southbound in I-95 in Hampden. Campbell joined the State Police in 2012. He may be gone, but never forgotten.

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

Representative **LIBBY**: Thank you, Madam Speaker, permission to speak on the record?

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

Representative **LIBBY**: Thank you. Madam Speaker, I appreciate the decision made to not hold session on Thursday and Friday for the safety of this Body, but I would advocate that the safety of our fellow Mainers is equally paramount, and on Friday, there is a public hearing for a bill; your bill; it is a bill that a lot of Mainers care about and would want to come to the State House to testify on, and I am sure that it is not the intent of anyone to actively disenfranchise Maine people as they seek to speak against this red flag bill, and I would urge a change in decision to not have Committee on Friday.

The SPEAKER: The Chair appreciates the Member's comment and the Chair needs to make it clear. These decisions are being made as we move through this upcoming storm. So, the decisions are still in flux, and I just want to make sure that you understand that the safety of all Maine residents coming into this building, the staff who will be working, will be of our utmost concern.

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

Representative **DOUDERA**: Thank you, Madam Speaker. I wanted to just kind of tailgate on what the Good Representative from Chester said, because April is Distracted Driving Month, and while we're all thinking about driving in a storm and not wanting to do that, I think we all do risky things going back and forth to the Capitol here every day; at least, I know I do sometimes. So, let's all think about the fact of how many people are killed and injured because other folks are distracted while they're driving and pledge not to do that. Thank you.

The SPEAKER: So, the Chair wants to again reiterate that these decisions are being made as we move through the next couple of days, so, please make sure you stay attuned to your emails and the text messages that you may receive on additional information regarding closures.

I also just want to reiterate, you know, stay safe and dry and warm, and then be prepared when we come back to respectfully debate the issues that are important to the people of Maine. I wish you all the best next couple of days and absolutely want to thank the Good Representative Swallow for making sure that we all were prepared for the eclipse. I want to thank you for the posters, Representative O'Connell, and have a happy eclipse.

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

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On motion of Representative KUHN of Falmouth, the House adjourned at 1:45 p.m., until 10:00 a.m., Tuesday, April 9, 2024, or until the call of the Speaker of the House and the President of the Senate, respectively, pursuant to the Joint Order (S.P. 999) and in honor and lasting tribute to Kelly Paul Stucker of Falmouth.