

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRTY-SECOND LEGISLATURE
FIRST SPECIAL SESSION
23rd Legislative Day
Monday, June 2, 2025

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

Prayer by Honorable James E. Thorne, Carmel.

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

Pledge of Allegiance.

The Journal of Thursday, May 29, 2025 was read and approved.

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

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

SPECIAL SENTIMENT CALENDAR

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

Recognizing:

Jane Weymouth, of Pittsfield, who has earned the distinction of being named Salutatorian of the 2025 graduating class of Maine Central Institute. We extend our congratulations and best wishes;

(HLS 333)

Presented by Representative COLLAMORE of Pittsfield.

Cosponsored by Senator FARRIN of Somerset.

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

READ and **PASSED**.

Sent for concurrence.

In Memory of:

Guy Everet Meader, of Readfield. Mr. Meader had a 24-year career in teaching. He was hired by the Augusta School Department as a Title One math teacher, later becoming a classroom teacher. He spent most of his career as a 6th grade teacher at Sylvio J. Gilbert Elementary School. Mr. Meader will be long remembered and sadly missed by his family, friends and community;

(HLS 324)

Presented by Representative ROLLINS of Augusta.

Cosponsored by Senator HICKMAN of Kennebec, Representative BRIDGEO of Augusta, Representative HASENFUS of Readfield.

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

READ.

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

Representative **ROLLINS**: Thank you, Mr. Speaker. Guy Meader was a 24-year teaching career at Gilbert School in Augusta. He was 45 years old. Who was Guy Meader? Guy Meader was a giant of a person, a generational teacher who made a difference. He made a difference to parents, he made a difference to fellow teachers, he made a difference to the administration, he made a difference to his friends and, most importantly, he made a difference to kids.

I never met Guy, although I coached in the system while he was there. My wife worked with him at Gilbert School. I learned last week he preferred to be in the background rather than in the spotlight. At the memorial service last week, I was stunned to learn that his mother, Lorna, is someone dear to me, who grew up across the street from me on Eastern Avenue and went to school with me beginning in Kindergarten and whose mother was the bookkeeper for my father's grocery businesses at Bernard's Foodland and Mr. Market.

As a pastime, Guy taught math on TikTok and has a YouTube series called *Stranger Maine*, which you can still watch, as there are 20 episodes still on YouTube. Guy Meader was a creative, engaged, funny and serious in his quest to help others. He will be greatly missed and long remembered. God bless Guy Meader.

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

Representative **HASENFUS**: Mr. Speaker, there are few people who touch more lives than teachers, and Mr. Meader certainly touched a number of lives. And there's a former student who said that the world needs more Mr. Meaders. And I can attest, as he, you know, worked with my cousins, taught my cousins and worked with my aunt; that he certainly was a life-touching teacher and I'm proud to have him and his family as constituents. And so, the family can remember that with every; there are many students whose lives he touched, and they should cherish that, because his memory will extend forever. Thank you.

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

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

SENATE PAPERS

The following Joint Resolution: (S.P. 786)

JOINT RESOLUTION DESIGNATING MAY 2025 AS CYSTIC FIBROSIS AWARENESS MONTH IN MAINE

WHEREAS, cystic fibrosis is a genetic disease affecting nearly 70,000 children and adults worldwide and approximately 30,000 children and adults in the United States, 268 of whom live in Maine; and

WHEREAS, in cystic fibrosis, a defective gene causes the body to produce an abnormally thick, sticky mucus that clogs the lungs, and these secretions produce life-threatening lung infections and obstruct the pancreas, preventing digestive enzymes from reaching the intestines to help break down and absorb food; and

WHEREAS, more than 10,000,000 Americans are symptomless carriers of the defective cystic fibrosis gene, and cystic fibrosis occurs in approximately one of every 3,500 live births in the United States; and

WHEREAS, the median age of survival for a person with cystic fibrosis is 41.1 years; and

WHEREAS, with advances in the treatment of cystic fibrosis, the number of adults with cystic fibrosis has steadily grown, and approximately 1,000 new cases of cystic fibrosis are diagnosed each year; and

WHEREAS, nearly 50% of the cystic fibrosis population is 18 years of age and older, and people with cystic fibrosis have a variety of symptoms attributed to the more than 1,800 mutations of the cystic fibrosis gene; and

WHEREAS, infant blood screening to detect genetic defects is the most reliable and least costly method to identify persons likely to have cystic fibrosis; and

WHEREAS, early diagnosis of cystic fibrosis permits early treatment and enhances quality of life and longevity, and the treatment of cystic fibrosis depends on the stage of the disease and the organs involved; and

WHEREAS, clearing mucus from the lungs is an important part of the daily cystic fibrosis treatment regimen, and other types of treatments include inhaled antibiotics and pancreatic enzymes, among others; and

WHEREAS, there are 3 world-class treatment centers in Maine that specialize in the diagnosis of cystic fibrosis and the care of persons with cystic fibrosis; and

WHEREAS, a critical component of treating patients with cystic fibrosis is access to innovative medicines, which can play a crucial role in the lives of patients with cystic fibrosis; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Thirty-second Legislature now assembled in the First Special Session, on behalf of the people we represent, take this opportunity to designate May 2025 as "Cystic Fibrosis Awareness Month" in Maine and to recognize that improving the length and quality of life for people with cystic fibrosis starts with awareness.

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

Non-Concurrent Matter

Bill "An Act to Require Competitive Procurement of Electricity from Generators Fueled by Municipal Solid Waste in Conjunction with Recycling"

(H.P. 692) (L.D. 1063)

Minority (5) **OUGHT TO PASS AS AMENDED** Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-238)** in the House on May 27, 2025.

Came from the Senate with the Majority (8) **OUGHT NOT TO PASS** Report of the Committee on **ENERGY, UTILITIES AND TECHNOLOGY** **READ** and **ACCEPTED** in **NON-CONCURRENCE**.

The House voted to **INSIST**.

COMMUNICATIONS

The Following Communication: (H.C. 187)

**STATE OF MAINE
CLERK'S OFFICE**

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

June 2, 2025

Honorable Ryan D. Fecteau

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Fecteau:

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

Judiciary

L.D. 1344 An Act to Improve the Response Time to Tenant Mold Complaints

L.D. 1410 An Act to Provide Due Process in Confiscation and Destruction of Personal Items of Unhoused Persons

L.D. 1552 An Act to Prohibit Landlords from Setting Rents Through the Use of Artificial Intelligence

L.D. 1824 An Act to Prohibit the Public Release of Information Regarding a Railroad Fatality

L.D. 1896 Resolve, to Support Pro Se Litigants Regarding the Return Receipt of Service

Sincerely,

S/Robert B. Hunt

Clerk of the House

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

The Following Communication: (H.C. 188)

STATE OF MAINE

CLERK'S OFFICE

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

June 2, 2025

Honorable Ryan D. Fecteau

Speaker of the House

2 State House Station

Augusta, Maine 04333

Dear Speaker Fecteau:

Pursuant to Joint Rule 310, the Committee on Transportation has approved the request by the sponsor, Senator Grohoski of Hancock, to report the following "Leave to Withdraw:"

L.D. 1342 An Act Regarding Vehicle Inspection and Registration

Sincerely,

S/Robert B. Hunt

Clerk of the House

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

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

ORDERS

On motion of Representative COLLINS of Sidney, the following Joint Resolution: (H.P. 1331)

JOINT RESOLUTION TO HONOR THE LIFE AND LEGACY OF SAMANTHA SMITH

WHEREAS, Samantha Smith, a Maine native, looked upon the Cold War between the United States and the Soviet Union with the innocence of a ten-year-old child; and

WHEREAS, through a letter to Soviet Premier Yuri Andropov, Samantha Smith expressed her fears of the possible threat of nuclear holocaust; and

WHEREAS, after receiving the letter, Premier Andropov invited Samantha Smith to visit the Soviet Union, where she learned that its citizens, especially its children, were very similar to those in Maine; and

WHEREAS, as one of our country's youngest ambassadors for peace, Samantha Smith helped ease the tensions between the 2 countries, opening the door to greater understanding and friendship among nations of the world; and

WHEREAS, while at the age of thirteen Samantha Smith died tragically in a plane crash before the Cold War truly ended, her legacy of peace and goodwill still lives on; and

WHEREAS, the first Monday in June of each year is designated as Samantha Smith Day, in memory of Samantha Smith whose birthday was June 29th; now, therefore, be it

RESOLVED: That We, the members of the One hundred and Thirty-second Legislature now assembled in the First Special Session, pause in our deliberations to honor the life and legacy of Samantha Smith and to celebrate the power of the individual voice to change the world for the better.

READ.

The SPEAKER: The Chair recognizes the Representative from Sidney, Representative Collins.

Representative **COLLINS**: Thank you, Mr. Speaker. Per Title 1, Chapter 5, Subsection 126, the first Monday in June of each year is designated as Samantha Smith Day.

Who was Samantha Smith? A 10-year-old girl from Manchester, Maine, who, in December of 1982, wrote a letter to an unknown leader of the Soviet Union: 'Dear Mr. Andropov, My name is Samantha Smith. I'm 10 years old. Congratulations on your new job. I've been worrying about Russia and the United States getting into nuclear war. Are you going to vote to have a war or not? If you aren't, please tell me how you're going to help not to have a war. This question you do not have to answer, but I would like it if you would. Why do you want to conquer the world, or at least our country? God made the world for us to share and take care of, not to fight over or have one group of people own it all. Please let's do what He wanted and have everyone be happy, too. Samantha Smith. P.S. Please write back.'

You may ask, why did this 10-year-old girl write a letter to a newly appointed world leader? Well, in November of the same year, 1982, Samantha had read a *Time Magazine* about a Soviet leader, Yuri Andropov, and the threat of nuclear war. She asked her mom, 'if people are so afraid of him, why doesn't someone write a letter asking whether or not he wants to have war?' And her mother replied, 'why don't you?' So, she did.

And she caused quite a stir, especially since Andropov wrote back to her. This letter contained a heartfelt message of sincerity: "We want peace for ourselves and for all the peoples of the planet. For our children and for you, Samantha." And the letter contained an invitation: "I invite you, if your parents will let you, to come to our country. The best time of year is this summer. And see for yourself: in the Soviet Union, everyone is for peace and friendship among peoples." The family accepted that invitation, and they completed more than a two-week goodwill journey; a journey that brought a human face of diplomacy to one of the most tense periods in modern history. Unfortunately, Samantha's life ended in August of 1985, when the plane she was in crashed.

Samantha represents a little piece in all of us. We don't think our voice matters, and we get discouraged. Well, don't get discouraged. Samantha Smith, a 10-year-old, used her voice to capture the attention of a world leader. In 1989, seven years from when she sent her letter, the Berlin Wall came down. Did this little girl start a chain of events to cause it to happen? Maybe. There's rumors around the letter from Andropov, the letter she received in response to her letter. The rumors were that Mikhail Gorbachev actually wrote that letter. Yes, the same Gorbachev who was the Russian leader when the Berlin Wall fell. And now, you know the rest of the story. Thank you, Mr. Speaker.

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-177)** on Bill "An Act to Criminalize Certain Offenses Related to Gift Card Thefts" (S.P. 691) (L.D. 1773)

Signed:

Senators:

BEEBE-CENTER of Knox
CURRY of Waldo
CYRWAY of Kennebec

Representatives:

HASENFUS of Readfield
ABDI of Lewiston
ARDELL of Monticello
BUNKER of Farmington
LAJOIE of Lewiston
LOOKNER of Portland
MCINTYRE of Lowell
NUTTING of Oakland
PERKINS of Dover-Foxcroft

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

Signed:

Representative:

MILLIKEN of Blue Hill

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-177)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-177)** 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-177)** in concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act Regarding Public Higher Education Funding in the State" (S.P. 296) (L.D. 681)

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

MURPHY of Scarborough
BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
MITCHELL of Cumberland
SARGENT of York

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-175)** on same Bill.

Signed:
Senator:

LIBBY of Cumberland

Representatives:

BAGSHAW of Windham

CARLOW of Buxton

HAGGAN of Hampden

LYMAN of Livermore Falls

Came from the Senate with the Minority **OUGH TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-175)**.

READ.

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

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Rudnicki.

Representative **RUDNICKI**: Mr. Speaker, once again, here we are, putting forth a Minority Report, and, again, are we just discarding the work that's done by the Committee? Thank you.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-175)** 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-175)** in concurrence.

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought Not to Pass** on Bill "An Act to Conform the State's Perfluoroalkyl and Polyfluoroalkyl Substances Laws to Federal Standards"

(S.P. 744) (L.D. 1903)

Signed:

Senators:

TEPLER of Sagadahoc

BRENNER of Cumberland

MARTIN of Oxford

Representatives:

GRAMLICH of Old Orchard Beach

ANKELES of Brunswick

BELL of Yarmouth

BRIDGEO of Augusta

OSHER of Orono

RIELLY of Westbrook

SCHMERSAL-BURGESS of Mexico

SOBOLESKI of Phillips

WOODSOME of Waterboro

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

Signed:

Representative:

CAMPBELL of Orrington

Came from the Senate with the Majority **OUGH TO PASS** Report **READ** and **ACCEPTED**.

READ.

On motion of Representative DOUDERA of Camden, the Majority **Ought Not to Pass** Report was **ACCEPTED** in concurrence.

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-159)** on Bill "An Act to Direct the Maine Prescription Drug Affordability Board to Assess Strategies to Reduce Prescription Drug Costs and to Take Steps to Implement Reference-based Pricing"

(S.P. 314) (L.D. 697)

Signed:

Senators:

BAILEY of York

BALDACCI of Penobscot

Representatives:

GRAMLICH of Old Orchard Beach

ARFORD of Brunswick

BOYER of Cape Elizabeth

CLUCHEY of Bowdoinham

MASTRACCIO of Sanford

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

Signed:

Senator:

HAGGAN of Penobscot

Representatives:

CIMINO of Bridgton

FLYNN of Albion

FOLEY of Wells

MORRIS of Turner

OLSEN of Raymond

Came from the Senate with the Majority **OUGH TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-159)**.

READ.

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

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

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

The SPEAKER: The Chair recognizes the Representative from Wells, Representative Foley.

Representative **FOLEY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the pending motion from our Good Colleague from Kittery. I think trying to lower prescription drug prices is an important goal for us to do, and so, I urge you to follow my light.

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

ROLL CALL NO. 249

YEA - Abdi, Albert, Ankeles, Arata, Ardell, Babin, Beck, Bell, Blier, Boyer D, Boyer M, Brennan, Bridgeo, Bunker, Campbell, Carlow, Caruso, Chapman, Cloutier, Collamore, Cooper, Crafts, Daigle, Dhalac, Dill, Dodge, Doudera, Drinkwater, Ducharme, Eder, Faircloth, Farrin, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Friedmann, Frost, Gattine, Geiger, Gere, Gifford, Golek, Graham, Gramlich, Greenwood, Guerrette, Hasenfus, Henderson, Hepler, Hymes, Jackson, Javner, Julia, Kessler, Kuhn, Lajoie, Lance, Lavigne, Lee, Lemelin, Lookner, Macias, Malon, Mason, Mastraccio, Mathieson, Matlack, McCabe, McIntyre, Meyer, Milliken, Mingo, Mitchell, Montell, Moonen, Murphy, Nutting, O'Halloran, Olsen, Osher, Parry, Perkins, Pluecker, Poirier, Pomerleau, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Rudnicki, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Schmersal-Burgess, Shagoury, Simmons, Sinclair, Skold, Smith, Stover, Supica, Swallow, Terry, Thorne, Tuell, Walker, Warren, Webb, White J, White R, Wood P, Wood S, Woodsome, Yusuf, Zager, Mr. Speaker.

NAY - Bagshaw, Cimino, Collins, Haggan, Libby, Morris, Paul, Quint, Soboleski.

ABSENT - Adams, Archer, Arford, Bishop, Cluchey, Copeland, Cray, Crockett, DeBrito, Eaton, Griffin, Hall, Lanigan, Lyman, Strout, Underwood, Wadsworth.

Yes, 125; No, 9; Absent, 17; Vacant, 0; Excused, 0.

125 having voted in the affirmative and 9 voted in the negative, with 17 being absent, and accordingly the Majority Ought to Pass as Amended Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (S-159)** 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-159)** in concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-180)** on Bill "An Act to Adopt Eastern Daylight Time Year-round Contingent on Federal Approval"

(S.P. 12) (L.D. 3)

Signed:

Senators:

BALDACCI of Penobscot
BEEBE-CENTER of Knox
MARTIN of Oxford

Representatives:

SALISBURY of Westbrook
ADAMS of Lebanon
COPELAND of Saco
MATLACK of St. George
ROLLINS of Augusta
TUELL of East Machias
UNDERWOOD of Presque Isle

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

Signed:

Representatives:

FARRIN of Jefferson
GREENWOOD of Wales
POMERLEAU of Standish

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-180)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-180)** 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-180)** in concurrence.

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act to Assess Impact Fees on Megayachts"

(S.P. 15) (L.D. 115)

Signed:

Senators:

FARRIN of Somerset
PIERCE of Cumberland

Representatives:

CRAFTS of Newcastle
ALBERT of Madawaska
BISHOP of Bucksport
MASON of Lisbon
PARRY of Arundel
WHITE of Guilford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-118)** on same Bill.

Signed:

Senator:

NANGLE of Cumberland

Representatives:

ANKELES of Brunswick
EATON of Deer Isle
MONTELL of Gardiner
RAY of Lincolnville

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **FAILING OF PASSAGE TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-118)**.

READ.

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

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

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

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

Representative **LOOKNER**: Thank you, Mr. Speaker. I'm here today to speak in opposition to the motion and in strong support of LD 115, a bill that asks the wealthiest visitors to our State, those arriving in megayachts over 150 feet, to pay a modest fee to help sustain the harbors and communities that they enjoy.

This is about fairness. Right now, when a family stays in a Maine hotel, they pay a lodging tax. When a business ships goods through our ports, they pay fees. But when a billionaire docks a 450-foot yacht; a vessel that's three times as long as the Vinalhaven ferry; in one of our harbors, they pay nothing toward the upkeep for our piers, dredging or sea walls that make their stay possible. That's wrong. These vessels can consume as much carbon in a year as 800 American families, and it's imperative that they pay for the harbor infrastructure and climate mitigation infrastructure that we will desperately need in the coming decades.

I want to address some of the concerns that we heard in the Committee about this bill, which in previous Sessions we passed similar versions of. So, some were saying that we can't possibly measure the length of these yachts, because how do we know, we're going to have to be out there in our little vessels with a tape measure is what they were saying, which is just patently absurd. Every vessel entering our waters must report its length. Harbormasters need that information to assign slips. If we can fit a megayacht into a harbor, we can certainly charge it a small fee. Others claim that it will drive away business, but let's be real, people don't come to Maine because it's the cheapest place to dock, they come here because our coast is unmatched in its beauty and a \$10-a-foot fee on the portion of a yacht over 150 feet is peanuts to somebody who spends more fuel on a week than most Mainers make in a year. And let's remember who we're talking about here. We're not talking about fishermen; we're not talking about ferries; we're not talking about working vessels. This bill explicitly exempts those vessels. It targets only the biggest, most polluting luxury yachts, the kind registered in the Cayman Islands or in Lichtenstein, a country without a coastline, to avoid taxes.

So, our coast; as everybody is aware at this point, I hope; is under siege. The Gulf of Maine is warming faster than almost any other body of water on earth. Storms are smashing our docks, flooding our streets and eroding our working waterfronts. And who should pay to fix that? Middle class homeowners, or the yacht owners whose carbon-spewing vessels contribute to the crisis? Our harbors need help. Dredging, ferry service and sea walls aren't free. This bill splits the revenue: half for harbor resilience and infrastructure, and the other half towards ferries and other public service transit infrastructure, so that the wealth that's visiting our coasts every summer can benefit the entire State. Many of these yacht owners hide their wealth offshore, dodging taxes, so that that could fund our schools and roads. If they don't pay their fair share there, at least they could pay a small fee here.

This is a modest ask. A 200-foot yacht that would pay just \$500 a day, less than the cost of a single bottle of champagne, but that money pooled together could mean millions for coastal resilience and affordable ferries. So, I ask you, Mr. Speaker, who will you stand with? With the lobstermen who can't afford another property tax hike to repair the town's pier, with the islander who relies on ferries that keep getting more expensive or with the billionaires who treat our coast like their playground while dodging taxes and leaving the rest of us to clean up their mess? So, I urge you to please vote down the pending motion

and stand with me on LD 115. Let's make sure that Maine's beauty benefits all Mainers, not just those who can afford a 300-foot yacht. Thank you.

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

Representative **CRAFTS**: Thank you, Mr. Speaker. With respect to the Good Representative from Portland, there were several concerns that the Committee considered brought up by this piece of legislation.

One, that municipalities have the ability to assess slip fees already. Several municipalities spoke against this bill and this proposition, because they see it as an unfair mandate when they're being asked to assess a fee on behalf of the State, on behalf of the harbor infrastructure, of which they are already responsible for and are able to, as we saw in Camden, Bar Harbor, Rockland, Portland, they already have their own system for assessing these slip fees and could do so at their own behest.

Ten percent of this fund, that would be somewhat duplicative of other funds already managed by the Department of Transportation, would go back to the municipalities, while 90% of that would be governed by the fund. Fifty percent of those would go towards harbor infrastructure and 50% towards multi-modal transportation. Again, not directly corresponding with the consequences of these ships coming in.

For these reasons, I would ask folks to support the pending motion. Thank you.

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

Representative **LOOKNER**: Thank you, Mr. Speaker, for letting me rise twice. Just to be clear, this bill is not a municipal mandate; it only applies to municipalities that already choose to assess slip fees and have that capacity, so, just to address that issue. This is not a municipal mandate.

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

ROLL CALL NO. 250

YEA - Albert, Arata, Ardell, Babin, Bagshaw, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Cloutier, Collamore, Collins, Cooper, Crafts, Cray, Daigle, Drinkwater, Ducharme, Eder, Farrin, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Frost, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hepler, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, Libby, Mason, Mastraccio, McIntyre, Meyer, Mingo, Morris, Nutting, O'Halloran, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Roberts, Rudnicki, Runte, Salisbury, Sargent, Schmersal-Burgess, Simmons, Sinclair, Smith, Soboleski, Stover, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S.

NAY - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Dhalac, Dill, Dodge, Doudera, Faircloth, Friedmann, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mathieson, Matlack, McCabe, Milliken, Mitchell, Montell, Moonen, Murphy, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roeder, Rollins, Sachs, Sato, Sayre, Shagoury, Skold, Supica, Terry, Warren, Webb, Woodsome, Yusuf, Zager, Mr. Speaker.

ABSENT - Adams, Archer, Bishop, Cluchey, Copeland, Crockett, DeBrito, Eaton, Griffin, Hall, Lanigan, Lyman, Strout, Underwood, Wadsworth.

Yes, 77; No, 59; Absent, 15; Vacant, 0; Excused, 0.

77 having voted in the affirmative and 59 voted in the negative, with 15 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** in **NON-CONCURRENCE** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-331)** on Bill "An Act Regarding the Time Frame for Issuing a Silver Alert and to Require Silver Alerts for All Persons Missing from Certain Inpatient Facilities"

(H.P. 325) (L.D. 496)

Signed:

Senators:

BEEBE-CENTER of Knox
CURRY of Waldo

Representatives:

HASENFUS of Readfield
BUNKER of Farmington
LAJOIE of Lewiston
LOOKNER of Portland
MILLIKEN of Blue Hill

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

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

ARDELL of Monticello
MCINTYRE of Lowell
NUTTING of Oakland
PERKINS of Dover-Foxcroft

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-331)** 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-331)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-370)** on Bill "An Act to Explicitly Allow the Department of Corrections to Charge Room and Board to Residents Who Perform Remote Work in Detention and Correctional Facilities and to Amend the Laws Governing Rehabilitative Programs"

(H.P. 394) (L.D. 626)

Signed:

Senators:

BEEBE-CENTER of Knox
CURRY of Waldo
CYRWAY of Kennebec

Representatives:

HASENFUS of Readfield
ABDI of Lewiston
ARDELL of Monticello
BUNKER of Farmington
LAJOIE of Lewiston
MCINTYRE of Lowell
NUTTING of Oakland
PERKINS of Dover-Foxcroft

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-371)** on same Bill.

Signed:

Representatives:

LOOKNER of Portland
MILLIKEN of Blue Hill

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-370)** 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-370)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-368)** on Bill "An Act Regarding the Required State of Mind Relating to Robbery"

(H.P. 751) (L.D. 1146)

Signed:

Senators:

BEEBE-CENTER of Knox
CURRY of Waldo

Representatives:

HASENFUS of Readfield
ABDI of Lewiston
BUNKER of Farmington
LAJOIE of Lewiston
LOOKNER of Portland
MILLIKEN of Blue Hill

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

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

ARDELL of Monticello

MCINTYRE of Lowell

NUTTING of Oakland

PERKINS of Dover-Foxcroft

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-368)** 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-368)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought Not to Pass** on Bill "An Act Regarding the Required State of Mind Relating to the Threatening Display or Carrying of a Concealed Weapon"

(H.P. 752) (L.D. 1147)

Signed:

Senators:

BEEBE-CENTER of Knox

CURRY of Waldo

CYRWAY of Kennebec

Representatives:

HASENFUS of Readfield

ABDI of Lewiston

LAJOIE of Lewiston

LOOKNER of Portland

MILLIKEN of Blue Hill

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-369)** on same Bill.

Signed:

Representatives:

ARDELL of Monticello

BUNKER of Farmington

MCINTYRE of Lowell

NUTTING of Oakland

PERKINS of Dover-Foxcroft

READ.

Representative HASENFUS of Readfield moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

The **SPEAKER**: The Chair recognizes the Representative from Bath, Representative Sinclair.

Representative **SINCLAIR**: Thank you, Mr. Speaker. Mr. Speaker, this bill does exactly what the prior bill does, only for two different Statutes. What each of the bills does is correct a problem in current Statutes. The prior one was on robbery, this

one regards threatening display of a weapon, to comport with the Supreme Court's holding in *Counterman v. Colorado*. Essentially, *Counterman* says you can't criminally sanction someone for doing something threatening based simply on how the, quote, "reasonable person" would perceive the communication or action, you have to also show that the person intended that the person feel threatened. This bill would correct that same constitutional defect that we currently have in our threatening display Statute, and for that reason, I'll be supporting the Minority Report.

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

Representative **HASENFUS**: Thank you, Mr. Speaker. I appreciate that this is a very technical legal argument that deals with the state of mind requirement and First Amendment case law. And being that the Committee struggled with this one, in part because the testimony from CLAC; which, as this Body understands, is a number of experts in the field of criminal law; was in opposition to the bill.

And I'd like to just read that opposition briefly: "The Criminal Law Advisory Commission respectfully submits the following testimony in opposition to LD 1147. *Counterman v. Colorado* protects speech by requiring that statutes that criminalize communications containing threats ('true threats') require the government to prove that the actor was at least reckless with respect to the threatening effects of the communicated speech. As drafted, the bill would require a culpable state of mind with respect to conduct that is not a communication-based threat." The issue with respect to this Statute is "whether displaying a 'dangerous or deadly weapon' 'usually employed in the attack or a defense of a person' is in a threatening manner, is simply communication equivalent to a verbal threat, or if it constitutes conduct that is qualitatively different from speech. While it is not apparent that *Counterman* requires any change with respect to (1)(A), if the Legislature chooses to add a culpable state of mind to the conduct of displaying such a weapon 'in a threatening manner' on the theory that it is required by *Counterman*, a culpable state of mind of 'recklessness' should satisfy any *Counterman* concerns."

In summary, what CLAC was saying is that they do not believe that the threatening display of a weapon is technically speech, as has been interpreted by *Counterman*. That being said, there is some disagreement, at least related to robbery, the past bill that we had, as far as what does constitute speech or not. And so, that is what gives this sort of difference in approach here. And I would just like to point out that the Ought Not to Pass Report does not set a state of mind requirement for criminal; the threatening use of a weapon. However, the Minority Report would set an intentional or reckless state of mind for threatening display or carrying of a weapon. Thank you.

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

ROLL CALL NO. 251

YEA - Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Dhalac, Dill, Dodge, Doudera, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Julia, Kuhn, Lajoie, Lee, Lookner, Malon, Mathieson, Matlack, McCabe, Meyer, Mitchell, Montell, Moonen, Murphy, Osher, Pluecker, Rielly, Roberts, Rollins, Runte, Sachs, Sayre, Shagoury, Skold, Stover, Supica, Terry, Yusuf, Zager, Mr. Speaker.

NAY - Abdi, Albert, Arata, Ardell, Babin, Bagshaw, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Crafts, Cray, Daigle, Drinkwater, Ducharme, Eder, Faircloth, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Kessler, Lance, Lavigne, Lemelin, Libby, Macias, Mason, Mastraccio, McIntyre, Mingo, Morris, Nutting, O'Halloran, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Pugh, Quint, Rana, Ray, Roeder, Rudnicki, Salisbury, Sargent, Sato, Schmursal-Burgess, Simmons, Sinclair, Smith, Soboleski, Swallow, Thorne, Tuell, Walker, Warren, Webb, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - Adams, Archer, Bishop, Cluchey, Copeland, Crockett, DeBrito, Eaton, Griffin, Hall, Lanigan, Lyman, Milliken, Strout, Underwood, Wadsworth.

Yes, 54; No, 81; Absent, 16; Vacant, 0; Excused, 0.

54 having voted in the affirmative and 81 voted in the negative, with 16 being absent, and accordingly the Majority **Ought Not to Pass** Report was **NOT ACCEPTED**.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-369)** 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-369)** and sent for concurrence.

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

Majority Report of the Committee on **HOUSING AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-341)** on Bill "An Act to Create the Weatherization Plus Program and Weatherization Plus Fund"

(H.P. 643) (L.D. 996)

Signed:

Senators:

CURRY of Waldo
BAILEY of York
BENNETT of Oxford

Representatives:

GERE of Kennebunkport
EDER of Waterboro
GOLEK of Harpswell
JULIA of Waterville
MALON of Biddeford
MINGO of Calais
ROBERTS of South Berwick
YUSUF of Portland

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

Signed:

Representatives:

COLLAMORE of Pittsfield
WALKER of Naples

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-341)** 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-341)** and sent for concurrence.

Majority Report of the Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-365)** on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Prohibit the Legislature from Using Paid Family and Medical Leave Program Funds for Any Other Purpose

(H.P. 796) (L.D. 1221)

Signed:

Senators:

TIPPING of Penobscot
BRADSTREET of Kennebec
RAFFERTY of York

Representatives:

ROEDER of Bangor
ARCHER of Saco
BECK of South Portland
COLLINS of Sidney
DRINKWATER of Milford
GEIGER of Rockland
MACIAS of Topsham
SKOLD of Portland
SOBOLESKI of Phillips

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

Signed:

Representative:

LIBBY of Auburn

READ.

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

The Resolution was **READ ONCE. Committee Amendment "A" (H-365)** was **READ** by the Clerk and **ADOPTED**.

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

Under further suspension of the rules the Resolution was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-365)** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-357)** on Bill "An Act to Authorize the Maine Governmental Facilities Authority to Issue Additional Securities for the Replacement of the Legislative Management System for the Senate and the House of Representatives"

(H.P. 288) (L.D. 434)

Signed:
Senators:

BALDACCI of Penobscot
BEEBE-CENTER of Knox
MARTIN of Oxford

Representatives:

SALISBURY of Westbrook
ADAMS of Lebanon
COPELAND of Saco
FARRIN of Jefferson
GREENWOOD of Wales
MATLACK of St. George
POMERLEAU of Standish
ROLLINS of Augusta
TUELL of East Machias

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

Signed:
Representative:

UNDERWOOD of Presque Isle

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-357)** 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-357)** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act to Require Legislative Approval for Certain Emergency Powers of the Governor"

(H.P. 1031) (L.D. 1573)

Signed:
Senators:

BALDACCI of Penobscot
BEEBE-CENTER of Knox
MARTIN of Oxford

Representatives:

SALISBURY of Westbrook
COPELAND of Saco
FARRIN of Jefferson
GREENWOOD of Wales
MATLACK of St. George
POMERLEAU of Standish
ROLLINS of Augusta
TUELL of East Machias

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-359)** on same Bill.

Signed:
Representative:

UNDERWOOD of Presque Isle

READ.

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

Majority Report of the Committee on **TRANSPORTATION** reporting **Ought Not to Pass** on Bill "An Act to Amend the State's Vehicle Inspection Law by Requiring Inspections Biennially"

(H.P. 657) (L.D. 1010)

Signed:
Senators:

NANGLE of Cumberland
FARRIN of Somerset
PIERCE of Cumberland

Representatives:

CRAFTS of Newcastle
ANKELES of Brunswick
BISHOP of Bucksport
EATON of Deer Isle
MASON of Lisbon
MONTELL of Gardiner
PARRY of Arundel
RAY of Lincolnville
WHITE of Guilford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-336)** on same Bill.

Signed:
Representative:

ALBERT of Madawaska

READ.

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

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

**CONSENT CALENDAR
First Day**

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

(S.P. 248) (L.D. 568) Bill "An Act to Modify the Process for Standard-offer Contracts with the Public Utilities Commission" Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-173)**

(S.P. 501) (L.D. 1212) Resolve, to Study Opportunities for the Efficiency Maine Trust to Support the Promotion and Use of Modern Wood Heating Committee on **ENERGY, UTILITIES AND TECHNOLOGY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-174)**

(S.P. 591) (L.D. 1450) Bill "An Act Regarding the Voluntary Municipal Farm Support Program" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-176)**

(H.P. 378) (L.D. 610) Resolve, to Designate a Portion of Route 234 in the Town of New Vineyard and the Town of Anson in Honor of Corporal Andrew L. Hutchins Committee on **TRANSPORTATION** reporting **Ought to Pass**

(H.P. 389) (L.D. 621) Resolve, to Rename a Bridge in Mattawamkeag the Mattawamkeag Veterans Memorial Bridge Committee on **TRANSPORTATION** reporting **Ought to Pass**

(H.P. 781) (L.D. 1176) Bill "An Act to Provide for the Sustainable Management of Marine Resources and Create a Noncommercial Northern Shrimp License" Committee on **MARINE RESOURCES** reporting **Ought to Pass**

(H.P. 1019) (L.D. 1561) Resolve, Regarding the Percentage of a Lobster and Crab Fishing Licensee's Lobster Traps That May Be Fished in a Lobster Management Zone Listed on the License as a Secondary Zone Committee on **MARINE RESOURCES** reporting **Ought to Pass**

(H.P. 1053) (L.D. 1595) Bill "An Act to Strengthen Working Waterfronts Against Nuisance Complaints Regarding Aquaculture" Committee on **MARINE RESOURCES** reporting **Ought to Pass**

(H.P. 1116) (L.D. 1681) Bill "An Act to Consider Municipal Shelter Facilities and Housing Projects Essential for Public Health, Welfare and Safety by Updating the Definition of 'Public Service Infrastructure'" Committee on **HOUSING AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass**

(H.P. 8) (L.D. 44) Bill "An Act to Amend the Laws Pertaining to Elver Fishing" (EMERGENCY) Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-344)**

(H.P. 28) (L.D. 64) Bill "An Act to Eliminate the Cultchless American Oyster Growers License" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-346)**

(H.P. 172) (L.D. 269) Resolve, Regarding Legislative Review of Portions of Chapter 375: No Adverse Environmental Effect Standards of the Site Location of Development Act, a Major Substantive Rule of the Department of Environmental Protection (EMERGENCY) Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-356)**

(H.P. 301) (L.D. 447) Bill "An Act to Expand Ferry Service to Matinicus Isle" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-337)**

(H.P. 323) (L.D. 494) Bill "An Act to Update and Clarify Certain Provisions of State Liquor and Lottery Laws" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-328)**

(H.P. 445) (L.D. 706) Bill "An Act Regarding the Laws Relating to Unemployment Insurance" Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-379)**

(H.P. 469) (L.D. 730) Resolve, Regarding Legislative Review of Portions of Chapter 132: Learning Results: Parameters for Essential Instruction, a Major Substantive Rule of the Department of Education (EMERGENCY) Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-374)**

(H.P. 494) (L.D. 764) Bill "An Act to Improve the Efficiency of Certain Department of Health and Human Services Licensing Investigations" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-373)**

(H.P. 562) (L.D. 876) Bill "An Act to Support Rural Resilience and Emergency Response Through the Maine Service Fellows Program" Committee on **HOUSING AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-338)**

(H.P. 580) (L.D. 915) Bill "An Act to Modernize Deed Duplication from Microfilm to a Digital Image" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-354)**

(H.P. 715) (L.D. 1093) Bill "An Act to Direct the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands to Prevent the Use of the Term 'State Park' by Nonstate Parks" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-350)**

(H.P. 762) (L.D. 1157) Bill "An Act to Amend the Laws Relating to the State's Background Check Center" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-342)**

(H.P. 832) (L.D. 1257) Bill "An Act Regarding Labeling of Genetically Engineered Food Products" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-348)**

(H.P. 854) (L.D. 1279) Bill "An Act to Require the Department of Marine Resources to Conduct Biotxin Testing of Cultured Scallops" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-345)**

(H.P. 858) (L.D. 1323) Bill "An Act to Prohibit the Use of Neonicotinoid Pesticides and the Use and Sale of Neonicotinoid-treated Seeds" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-347)**

(H.P. 961) (L.D. 1469) Bill "An Act to Clarify the Quality Rating System for Child Care Services in Maine" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-372)**

(H.P. 998) (L.D. 1514) Bill "An Act to Change the Laws Regarding Real Estate Appraisers" Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-355)**

(H.P. 1000) (L.D. 1516) Bill "An Act to Strengthen the Maine Development Foundation" Committee on **HOUSING AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-339)**

(H.P. 1143) (L.D. 1708) Bill "An Act to Create the Commercial Fishing Safety Fund to Further Develop Training and Provide Equipment to Recover Ships and Other Watercraft and Persons in Distress or Lost at Sea" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-351)**

(H.P. 1245) (L.D. 1874) Bill "An Act to Enable the Maine Pilotage Commission to Oversee Pilots Operating in Portland Harbor" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-335)**

(H.P. 1286) (L.D. 1925) Bill "An Act to Improve Access to Grant Funding for the Maine Farms for the Future Program" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-349)**

(H.P. 1304) (L.D. 1945) Bill "An Act to Clarify Data Collection Processes in Health Care Facilities" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-343)**

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

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

ENACTORS

Emergency Measure

An Act to Support Maine Eating and Drinking Establishments by Allowing Vendors to Operate on the Premises of an Establishment with a Liquor License

(S.P. 635) (L.D. 1551)

(C. "A" S-153)

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

Emergency Measure

Resolve, to Establish the Commission to Ensure a Just and Equitable Energy Transition for Maine's Workforce

(S.P. 576) (L.D. 1420)

(C. "A" S-157)

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. 68 voted in favor of the same and 61 against, and accordingly the Resolve **FAILED FINAL PASSAGE** and was sent to the Senate.

Acts

An Act to Implement the Recommendations of the Commission Regarding Foreign-trained Physicians Living in Maine to Establish a Sponsorship Program for Internationally Trained Physicians

(H.P. 70) (L.D. 105)

(C. "A" H-281)

An Act to Expand the Membership of the Homeland Security Advisory Council

(S.P. 36) (L.D. 120)

(C. "A" S-167)

An Act to Protect the Right to Food

(S.P. 50) (L.D. 124)

(C. "A" S-162)

An Act to Extend the Maximum Time Period for Certain School Construction Bonds

(S.P. 108) (L.D. 242)

(C. "A" S-154)

An Act to Allow the Public Utilities Commission to Use Quantitative Metrics and Rate-adjustment Mechanisms in a Proceeding for a General Rate Increase

(H.P. 201) (L.D. 301)

(C. "A" H-243)

An Act to Prevent Student Homelessness

(S.P. 150) (L.D. 384)

(C. "A" S-155)

An Act to Expand Testing for Perfluoroalkyl and Polyfluoroalkyl Substances to Private Drinking Water Wells

(H.P. 322) (L.D. 493)

(C. "A" H-300)

An Act to Ensure Access to Safe Drinking Water from Household Wells in Rural Areas by Expanding Testing

(H.P. 329) (L.D. 500)

(C. "A" H-288)

An Act to Encourage Resident-owned Communities and Preserve Affordable Housing Through Tax Deductions

(S.P. 211) (L.D. 554)

(C. "A" S-163)

An Act to Strengthen Consumer Protections by Prohibiting the Report of Medical Debt on Consumer Reports

(S.P. 237) (L.D. 558)

(C. "A" S-151)

An Act Regarding Eligibility to Apply for a Department of Education Diploma

(H.P. 396) (L.D. 628)

(C. "A" H-309)

An Act to Allow a Home Distiller to Distill and Share Homemade Spirituous Liquor

(H.P. 399) (L.D. 631)

(C. "A" H-298)

An Act to Increase the Funding to the Live Fire Service Training Facilities Fund

(S.P. 294) (L.D. 679)

(C. "A" S-168)

An Act to Promote Public Safety and Retain Essential First Responders by Converting the Maine Length of Service Award Program Trust Fund to a Nonlapsing Fund

(S.P. 346) (L.D. 786)

(C. "A" S-169)

An Act to Ensure Behavioral and Mental Health Services Are Available to Students by Providing Grants to Schools That Contract for Those Services

(H.P. 544) (L.D. 858)

(C. "A" H-289)

An Act to Clarify the Requirements for Accessing Nonformulary Drugs and Drugs Used to Treat Serious Mental Illness

(S.P. 460) (L.D. 1100)

(C. "A" S-166)

An Act to Change the Professional Title and Identification of Physician Assistants to Physician Associates

(H.P. 771) (L.D. 1166)

(C. "A" H-304)

An Act Regarding Cellular Telephones in Public Schools

(H.P. 809) (L.D. 1234)

(C. "A" H-317)

An Act to Update the Laws Regarding Athletic Trainers

(S.P. 520) (L.D. 1290)

(C. "A" S-152)

An Act to Increase Contingency Reserves for Maine's Consumer-owned Electric Transmission and Distribution Utilities

(H.P. 934) (L.D. 1412)
(C. "A" H-286)

An Act to Require Law Enforcement Agencies to Adopt Written Policies Regarding Compliance with Certain Constitutional Obligations Related to Disclosure of Evidence

(H.P. 1061) (L.D. 1607)

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 Increase Access to Energy Efficiency Programs by Low-income and Moderate-income Residents

(H.P. 611) (L.D. 946)
(C. "A" H-291)

Resolve, to Convene a Working Group to Evaluate Potential Regulation of the Vehicle Towing Industry and the Impact on State Agencies and Industries

(S.P. 572) (L.D. 1377)
(C. "A" S-164)

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

Resolve, to Direct the Maine Criminal Justice Academy to Study the Feasibility of Establishing a Nonresidential Law Enforcement Training Program

(H.P. 462) (L.D. 723)
(C. "A" H-305)

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

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

The same Representative **REQUESTED** a roll call on **FINAL PASSAGE**.

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

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

ROLL CALL NO. 252

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Crafts, Dhalac, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Cray, Daigle, Dill, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lanigan, Lavigne, Lemelin, Libby, Mason, McIntyre, Mingo, Morris, Nutting, O'Halloran, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Salisbury, Schmearsal-Burgess, Simmons,

Smith, Soboleski, Strout, Swallow, Terry, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - Adams, Archer, Cluchey, Copeland, Crockett, DeBrito, Eaton, Griffin, Hall, Lyman, Underwood, Wadsworth.

Yes, 68; No, 71; Absent, 12; Vacant, 0; Excused, 0.

68 having voted in the affirmative and 71 voted in the negative, with 12 being absent, and accordingly the Resolve **FAILED FINAL PASSAGE** and was sent to the Senate.

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

BILLS RECALLED FROM GOVERNOR

(Pursuant to Joint Order - House Paper 1330)

An Act to Create the Building Opportunity Through Out-of-school Time Program

(H.P. 911) (L.D. 1389)
(C. "A" H-128)

- In House, **PASSED TO BE ENACTED** on May 20, 2025.

- In Senate, **PASSED TO BE ENACTED** on May 21, 2025.

Subsequently, on motion of Representative CLOUTIER of Lewiston, the Bill and all accompanying papers were **COMMITTED** to the Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** and sent for concurrence.

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

CONSENT CALENDAR

First Day

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

(H.P. 26) (L.D. 62) Bill "An Act to Support Municipal and County Actions on Dam Ownership" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-391)**

(H.P. 821) (L.D. 1246) Resolve, Directing the Department of Economic and Community Development to Convene a Working Group to Review the Process of Setting Impact Fees Committee on **HOUSING AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-392)**

(H.P. 970) (L.D. 1478) Bill "An Act to Amend the Laws Governing Baitfish Wholesaler's Licenses" Committee on **INLAND FISHERIES AND WILDLIFE** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-395)**

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

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

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

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **JUDICIARY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-179)** on Bill "An Act to Update Processes and Fees in the Probate Court System"

(S.P. 223) (L.D. 505)

Signed:

Senators:

CARNEY of Cumberland
HAGGAN of Penobscot
TALBOT ROSS of Cumberland

Representatives:

KUHN of Falmouth
BABIN of Fort Fairfield
CARUSO of Caratunk
LEE of Auburn
O'HALLORAN of Brewer
PUGH of Portland
SATO of Gorham
SINCLAIR of Bath

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

Signed:

Representatives:

HENDERSON of Rumford
POIRIER of Skowhegan

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-179)**.

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-179)** 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-179)** in concurrence.

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

The SPEAKER: The Chair recognizes the Representative from Wells, Representative Foley.

Representative **FOLEY**: Mr. Speaker, I request unanimous consent to address the House on the record.

The SPEAKER: The Representative from Wells, Representative Foley, requests unanimous consent to address the House on the record. Hearing no objection, it is so ordered.

Representative **FOLEY**: Thank you, Mr. Speaker. Mr. Speaker and Men and Women of the House, in reference to Roll Call No. 221 on LD 1437, had I been present, I would have voted no.

CONSENT CALENDAR

First Day

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

(S.P. 130) (L.D. 280) Bill "An Act to Establish Lifetime Ferry Passes for Retired Maine State Ferry Service Employees" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-193)**

(S.P. 144) (L.D. 358) Bill "An Act to Increase Fees Paid to Registers of Deeds" Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-192)**

(S.P. 326) (L.D. 768) Bill "An Act to Update the Laws Governing the Licensing of Intermediate Care Facilities for Persons with Intellectual Disabilities" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-185)**

(S.P. 337) (L.D. 823) Bill "An Act to Establish a Grant Program to Provide for Statewide and Equitable Access to Experiential Science, Technology, Engineering and Mathematics Competition Programs" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-201)**

(S.P. 458) (L.D. 1072) Bill "An Act to Amend the Laws Governing the Land for Maine's Future Program and to Authorize the Use of Options to Purchase at Agricultural Value" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-189)**

(S.P. 549) (L.D. 1319) Bill "An Act to Amend the Law Regarding the Suspension of Licenses Issued by the Department of Marine Resources for Failure to Comply with Reporting Requirements" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-204)**

(S.P. 695) (L.D. 1793) Bill "An Act to Improve Management and Reduce the Volume of Solid Waste" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-190)**

(S.P. 731) (L.D. 1861) Bill "An Act to Require Training on Textured Hair for Aestheticians, Barber Hair Stylists, Cosmetologists and Hair Designers" Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-191)**

(S.P. 761) (L.D. 1953) Bill "An Act to Ensure Public Access to Conservation Land by Providing Protections from Liability to Landowners" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-187)**

(H.P. 345) (L.D. 526) Bill "An Act to Reduce the Time Period for Challenging the Validity of a Property Tax Lien on Commercial Real Estate" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-407)**

(H.P. 391) (L.D. 623) Bill "An Act to Enhance Support Services for Individuals with an Acquired Brain Injury" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-418)**

(H.P. 619) (L.D. 960) Bill "An Act Facilitating the Discharge of Hospitalized Patients to Nursing Facilities" Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-417)**

(H.P. 928) (L.D. 1406) Bill "An Act to Amend Certain Definitions in the Child and Family Services and Child Protection Act" (EMERGENCY) Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-419)**

(H.P. 1004) (L.D. 1519) Bill "An Act to Create a Stewardship Program for Electronic Smoking Devices and Related Products" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-412)**

(H.P. 1022) (L.D. 1564) Bill "An Act to Delay Implementation of Recent Changes to Maine's Beverage Container Redemption Law" (EMERGENCY) Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-415)**

(H.P. 1046) (L.D. 1588) Bill "An Act to Ensure Transparency in Student Transfer Requests" Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-406)**

(H.P. 1193) (L.D. 1782) Bill "An Act Regarding Municipal Solid Waste Disposal Planning and the Juniper Ridge Landfill in the City of Old Town" (EMERGENCY) Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-408)**

(H.P. 1194) (L.D. 1783) Bill "An Act to Clarify Municipal Affordable Housing Tax Increment Financing" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-409)**

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

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

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

(S.P. 656) (L.D. 1648) Resolve, to Honor Margaret Chase Smith and Joshua Chamberlain in the National Statuary Hall Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-202)**

On motion of Representative MOONEN of Portland, was **REMOVED** from the First Day Consent Calendar.

The Unanimous Committee Report was **READ**.

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

ENACTORS
Pursuant to the Constitution
Public Land

Resolve, Authorizing the Baxter State Park Authority to Convey Certain Land in Cumberland County

(H.P. 1151) (L.D. 1724)
(C. "A" H-326)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. In accordance with the provisions of Section 23 of Article IX of the Constitution, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 107 voted in favor of the same and 2 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act to Adopt Eastern Daylight Time Year-round Contingent on Federal Approval

(S.P. 12) (L.D. 3)
(C. "A" S-180)

An Act to Update Processes and Fees in the Probate Court System

(S.P. 223) (L.D. 505)
(C. "A" S-179)

An Act Regarding Public Higher Education Funding in the State

(S.P. 296) (L.D. 681)
(C. "A" S-175)

An Act to Direct the Maine Prescription Drug Affordability Board to Assess Strategies to Reduce Prescription Drug Costs and to Take Steps to Implement Reference-based Pricing

(S.P. 314) (L.D. 697)
(C. "A" S-159)

An Act Regarding the Membership of the Maine Land Use Planning Commission

(H.P. 556) (L.D. 870)
(C. "A" H-327)

An Act to Provide De-escalation and Behavior Intervention Training for School Personnel

(H.P. 719) (L.D. 1097)
(C. "A" H-313)

An Act to Include Qualified Out-of-state Electric Vehicle Providers and Clarify Provisions Regarding Electric Bicycles Under the Electric Vehicle Fund

(H.P. 833) (L.D. 1258)

An Act Regarding the Voluntary Municipal Farm Support Program

(S.P. 591) (L.D. 1450)
(C. "A" S-176)

An Act to Require Gas Utilities to Assess for Natural Gas Leaks and to Require Reporting of Gas Leak Information

(H.P. 965) (L.D. 1473)
(C. "A" H-321)

An Act to Criminalize Certain Offenses Related to Gift Card Thefts

(S.P. 691) (L.D. 1773)
(C. "A" S-177)

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, Directing the Public Utilities Commission to Evaluate Different Procurement Methods for Standard-offer Service

(S.P. 248) (L.D. 568)
(C. "A" S-173)

Resolve, to Study Opportunities for the Efficiency Maine Trust to Support the Promotion and Use of Modern Wood Heating

(S.P. 501) (L.D. 1212)
(C. "A" S-174)

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

An Act to Clarify the Public Utilities Commission's Authority to Establish Time-of-use Pricing for Standard-offer Service

(H.P. 119) (L.D. 186)
(C. "A" H-318)

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

On motion of Representative PAUL of Winterport, was **SET ASIDE**.

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

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

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

ROLL CALL NO. 253

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Zager, Mr. Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlou, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Cray, Daigle, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lanigan, Lavigne, Lemelin, Libby, McIntyre, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - Adams, Archer, Cluchey, Eaton, Griffin, Hall, Lyman, Mason, Underwood, Wadsworth, Yusuf.

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-380)** on Bill "An Act to Move the Natural Areas Program from the Department of Agriculture, Conservation and Forestry to the Department of Inland Fisheries and Wildlife and to Amend the Law Governing Administration of the Bureau of Resource Management Within the Department of Inland Fisheries and Wildlife"

(H.P. 256) (L.D. 402)

Signed:

Senator:

BLACK of Franklin

Representatives:

BUNKER of Farmington

COOPER of Windham

CRAY of Palmyra

DILL of Old Town

GUERRETTE of Caribou

HEPLER of Woolwich

JACKSON of Oxford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-381)** on same Bill.

Signed:

Senators:

TALBOT ROSS of Cumberland

INGWERSEN of York

Representatives:

PLUECKER of Warren

FROST of Belgrade

READ.

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

The same Representative **REQUESTED** a roll call on his motion to **ACCEPT** the Majority **Ought to Pass as Amended** Report.

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

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

Representative **PLUECKER**: Thank you very much, Mr. Speaker. I have moved the Majority Report of the Committee, but I am on the Minority Report, and in this situation, I am asking the Legislature to follow my light in opposition to this motion.

There was broad agreement on the Committee and within the public hearing saying that this bill was a good bill. What it does is it moves the Maine Natural Areas Program from the Department of Agriculture, Conservation and Forestry to IF&W. And they've been working on that for a long time, and that's a great thing. The Maine Natural Areas Program tracks where rare plants are in the State, it does development review, monitors eco-reserves and helps with wetland mitigation. And while it was within DACF, it had the ability to go into rulemaking to try to protect some of those plants, plant communities and natural areas. And there was some worry from some folks in the public hearing that when it was moved to the Department of Inland Fisheries and Wildlife, they would have too much regulatory ability. So, in an effort to compromise, we removed some of the regulatory ability of IF&W to regulate plants. And in the Majority Amendment we were discussing; which is on the

table now; it removes both the ability to regulate plants and plant communities.

And I would hope that we would not vote for this motion, so, we could move a secondary motion which is not so extensive in removing the regulatory ability of IF&W. Plant communities can be broadly interpreted to mean both wetlands or old growth forests, and in this situation where we have 250-year-old trees; 300-year-old trees that we want to protect, I would hope we would not remove the ability to regulate some of those plant communities.

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

ROLL CALL NO. 254

YEA - Abdi, Albert, Arata, Ardell, Arford, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Cloutier, Collamore, Collins, Cooper, Cray, Daigle, Dill, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hepler, Hymes, Jackson, Javner, Lance, Lanigan, Lavigne, Lemelin, Libby, Mastraccio, McIntyre, Milliken, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Roberts, Rudnicki, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S, Woodsome.

NAY - Ankeles, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mathieson, Matlack, McCabe, Meyer, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

ABSENT - Adams, Archer, Cluchey, Eaton, Griffin, Hall, Lyman, Mason, Underwood, Wadsworth.

Yes, 74; No, 67; Absent, 10; Vacant, 0; Excused, 0.

74 having voted in the affirmative and 67 voted in the negative, with 10 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-380)** 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-380)** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-332)** on Bill "An Act to Amend Certain Provisions of the Drug Laws Related to Cocaine Base"

(H.P. 889) (L.D. 1366)

Signed:

Senators:

BEEBE-CENTER of Knox
CURRY of Waldo

Representatives:

HASENFUS of Readfield
ABDI of Lewiston
BUNKER of Farmington
LAJOIE of Lewiston
LOOKNER of Portland
MILLIKEN of Blue Hill

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

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

ARDELL of Monticello
MCINTYRE of Lowell
NUTTING of Oakland
PERKINS of Dover-Foxcroft

READ.

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

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

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

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

Representative **NUTTING**: Thank you, Mr. Speaker, Men and Women of the House. I rise to urge you to vote against LD 1366 for two reasons. It is a very simple bill, and yet, it is unwise.

What it seeks to do is to bring the quantities needed for various levels of prosecution for the possession of cocaine powder; or cocaine hydrochloride; and crack cocaine into alignment, so that the quantities required for certain prosecutions are the same. Currently, they are different. The amount of drug needed of the crack cocaine is less; it's maybe a quarter or a third as much as the same prosecution for the powdered cocaine. The white powder cocaine that you see in the movies is snorted. The crack cocaine that this bill seeks to address is heated, and as a result, it makes a cracking noise, a crackling noise, and that's why it's called crack cocaine, and it's then inhaled. Crack cocaine is faster-acting, because the smoke is inhaled. Although it's faster acting, it also doesn't last as long, so, the user is encouraged to use it more frequently. It's cheaper and it causes more frequent reuse.

Now, you may hear from some that the difference in the prosecutions are based on some racial issues or socioeconomic issues, and that may very well have been true in the 1980s, when the difference in the quantity was that it took a hundred times as much of the powdered cocaine as it did of crack cocaine to get the same penalty, but those differences have been changed at least twice in law. And now, that amount, that

difference in quantity is much closer than it was back in the 1980s.

Cocaine of either kind, and particularly crack cocaine, is illegal, it is dangerous and there is no Narcan to save you. Narcan does not work on cocaine. So, I would submit to you that the overuse of cocaine, particularly crack cocaine, doesn't differentiate on skin color. It is simply a deadly, illegal drug and I urge you not to support this bill, LD 1366. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Blue Hill, Representative Milliken.

Representative **MILLIKEN**: Thank you, Mr. Speaker. I'll quickly respond to some of the things that my friend from Oakland just said, which is; and I will say that much of what he has said is dated information that has been proven to be not quite true. The only thing I would agree with him on is that Narcan does not work to reverse an overdose from cocaine alone, but it would work for any cocaine that is laced with an opiate.

So, my prepared remarks, though, are that in the 130th Legislature, then-Assistant Majority Leader Rachel Talbot Ross sponsored LD 1675, which did two things. First, it raised the threshold for weight for a person to be charged with trafficking, and second, it made it that powder cocaine and cocaine base—or crack cocaine—was made illegal at the same thresholds for all drug offenses. As you might expect, Mr. Speaker, the Report from the Committee on LD 1675 was a Divided Report, but you may be surprised to learn that every Member of the Committee except for one agreed wholeheartedly that crack cocaine and powder cocaine should be equally illegal under the eyes of the law. Only one Member voted a straight Ought Not to Pass on that bill. Most of the Members who were on CJPS in the 130th at that time are no longer serving, but it feels important to know that in 2021, the Maine Legislature's favorite DARE officer agreed that crack cocaine and powder cocaine should be seen the same under the law, because they are, in fact, the same drug.

Unfortunately, LD 1675 accidentally overlooked two drug Statutes: felony level possession and importation. All that this bill does is make it that these pharmacologically identical drugs are the same in these remaining two places that were missed by the 130th Legislature. To be very clear: this bill does not decriminalize crack cocaine; it simply finishes doing what four of the five Republicans in the Criminal Justice Committee in the 130th thought was a good idea. If our favorite Senator DARE officer thought it was okay, it's probably okay.

It's time to set aside dated stereotypes about these drugs and make them equally illegal in the eyes of the law. Please follow my light. Thank you, Mr. Speaker.

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

Representative **HASENFUS**: Thank you, Mr. Speaker. Just to follow up what the Good Representative from Blue Hill mentioned, there are a couple of Statutes that were sort of unintentionally left out, which, from my perspective, makes our Drug Code more confusing and incoherent.

So, for instance, I'd like to call our attention to 17-A, 1107-A, which is one of the Statutes that this bill will address. So, a person is guilty of unlawful possession of a scheduled drug if the person intentionally or knowingly possesses what the person knows or believes to be a scheduled drug; which is in fact a scheduled drug; and the drug is. So, if it is cocaine, and the amount possessed is more than two grams, and if it is cocaine in the form of cocaine base and the amount possessed is more than two grams, then that is a Class C felony punishable by up

to five years. However, if it is cocaine and the quantity possessed is more than 14 grams, or whereas if it is cocaine base and the quantity possessed is more than four grams, those are both treated the same and punishable by up to 10 years. So, in other words, if you have more than two grams of cocaine, but less than 14, then you're punishable by five years. If you have more than two grams of cocaine base, up to four, you're in that five-year category, but as soon as you cross that threshold from four grams or more, you bump up into the 10-year category. And I don't think that that was the intention of the former Legislature. And so, it creates this weird conundrum where we have, you know, cocaine levels that are much more relaxed than crack cocaine levels.

And I'd just like to point out the testimony from CLAC on this issue, to saying that "CLAC supports the proposed changes as logically consistent with the previous policy decisions made by the Legislature to discontinue the varying treatment of different forms of cocaine." This bill simply tidies up the Statute, treats all forms of cocaine exactly the same and is a housekeeping measure. Thank you, Mr. Speaker.

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

ROLL CALL NO. 255

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lanigan, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Cray, Daigle, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Frost, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, Libby, McIntyre, Mingo, Morris, Nutting, O'Halloran, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - Adams, Archer, Cluchey, Eaton, Griffin, Hall, Lyman, Mason, Underwood, Wadsworth.

Yes, 74; No, 67; Absent, 10; Vacant, 0; Excused, 0.

74 having voted in the affirmative and 67 voted in the negative, with 10 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-332)** 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-332)** and sent for concurrence.

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

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass** on Resolve, Directing the Department of Corrections to Convene a Working Group to Examine the Establishment of a Program to Award Earned Time Credit for Educational Achievement to Persons Who Are Incarcerated

(H.P. 1322) (L.D. 1979)

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

HASENFUS of Readfield

ABDI of Lewiston

BUNKER of Farmington

LAJOIE of Lewiston

LOOKNER of Portland

MILLIKEN of Blue Hill

NUTTING of Oakland

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

Signed:

Senators:

CURRY of Waldo

CYRWAY of Kennebec

Representatives:

ARDELL of Monticello

MCINTYRE of Lowell

PERKINS of Dover-Foxcroft

READ.

On motion of Representative HASENFUS of Readfield, the Majority **Ought to Pass** Report was **ACCEPTED**.

The Resolve was **READ ONCE**.

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-377)** on Bill "An Act to Increase Reading Proficiency in Public Schools"

(H.P. 224) (L.D. 324)

Signed:

Senators:

RAFFERTY of York

LIBBY of Cumberland

PIERCE of Cumberland

Representatives:

MURPHY of Scarborough

BRENNAN of Portland

CARLOW of Buxton

CROCKETT of Portland

DODGE of Belfast

MITCHELL of Cumberland

SARGENT of York

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

Signed:

Representatives:

BAGSHAW of Windham

HAGGAN of Hampden

LYMAN of Livermore Falls

READ.

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

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

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

The **SPEAKER**: The Chair recognizes the Representative from Hampden, Representative Haggan.

Representative **HAGGAN**: Thank you. I rise in respectful opposition to this Resolve.

We all share the goal of improving literacy and math outcomes in our schools, but this measure commits \$10 million over the next two years to continue the Department of Education grant programs that to date lack publicly available data demonstrating effectiveness. These programs were initially supported with federal funds, which have now expired. Instead of evaluating the results, we're being asked to backfill the spending with scarce State dollars, despite no clear evidence that these efforts are actually helping students. Maine is in a period of serious fiscal strain. We cannot afford to spend millions on initiatives without accountability or results. Every dollar must be tied to demonstrable impact for the sake of both our students and our taxpayers.

Furthermore, this Resolve encroaches on what should remain a local issue. Decisions about curriculum and instructional practice are the rightful domain of local school districts and their curriculum coordinators. Local educators are best positioned to choose and implement practices that reflect the unique needs of their students, not State mandates or national foundation partnerships made without transparency or oversight.

The Resolve says it doesn't promote a single program, but vague language and unchecked authority leave too much room for influence and too little room for local autonomy. Let's support what works, but first, let's demand evidence and respect local control. I urge a no vote. Thank you.

The **SPEAKER**: The Chair recognizes the Representative from Scarborough, Representative Murphy.

Representative **MURPHY**: Thank you, Mr. Speaker. LD 324 appropriates funds to the Department of Education to continue the early literacy grant program that was established in the 131st Legislature and it creates grant programming related to implementation of best practices for mathematics instruction as well. The language in the bill also authorizes the Department to partner with national foundations as a means to maximize private resources and additional funds may be available.

The four million dollars in each year of the biennium will go toward the grant program that's already been in place for early literacy and begin one for mathematics, but the additional one million dollars each year would be in support of summer learning, to prevent summer slide and to help students who are not at grade level to work towards proficiency before the next school year begins. Continued State-level investments will build upon the successes of the previous grant funding, including the

widespread uptick of explicit and systematic phonics in K-5 classrooms; significant investment in professional learning, including coaching, curriculum review and training informed by learning science; the strategic use of screening tools and database decision making to guide instruction. And even under the short timelines, there was demonstrated momentum and readiness for sustained instructional improvement.

These programs have been working, there has been improvement and I urge the Body to follow my light and support LD 324.

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

ROLL CALL NO. 256

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Carlow, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Foley, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Cray, Daigle, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lanigan, Lavigne, Lemelin, Libby, McIntyre, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Schmursal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - Adams, Archer, Cluchey, Eaton, Griffin, Hall, Lyman, Mason, Underwood, Wadsworth.

Yes, 77; No, 64; Absent, 10; Vacant, 0; Excused, 0.

77 having voted in the affirmative and 64 voted in the negative, with 10 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Bill was **READ ONCE. Committee Amendment "A" (H-377) 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-377)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Provide Transparency and Public Access to Public School Curricula"

(H.P. 428) (L.D. 660)

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

MURPHY of Scarborough
BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
MITCHELL of Cumberland
SARGENT of York

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-378)** on same Bill.

Signed:

Senator:

LIBBY of Cumberland

Representatives:

BAGSHAW of Windham
CARLOW of Buxton
HAGGAN of Hampden
LYMAN of Livermore Falls

READ.

Representative MURPHY of Scarborough moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

The SPEAKER: The Chair recognizes the Representative from Caratunk, Representative Caruso.

Representative **CARUSO**: Mr. Speaker, I rise in support of LD 660.

Like many of us, we have heard and watched as parents across Maine have become more engaged in their children's education over the past few years. Whether through school board meetings, curricula discussion or simply helping with homework during the pandemic, more and more families have begun asking the question, what exactly is being taught in our schools. Well, LD 660 aligns with the U.S. Department of Education's Protection of Pupil Rights Amendment, which requires that local education agencies, in consultation with parents, develop local policies concerning student privacy, parental access to information and other things. And so, LD 660 just aligns with that and focuses on strengthening trust between parents and schools; or rather, schools and the families that the schools are serving.

LD 660 offers a thoughtful framework that brings public transparency and accessibility to our education system. It simply requires that approved curricula are implemented in the classroom as adopted. It ensures that three years of student enrollment and academic proficiency data are posted and available. It requires professional development programs funded with State dollars to be listed, and it utilizes a centralized online portal where parents, educators and authorized third parties can find content, training materials, speaker information. And basically, nearly every school already has a portal or a

website, so, it's just utilizing the format that they're using to communicate with their families.

To be clear: it doesn't restrict what's being taught; it's just about ensuring that what's been approved is seen to be delivered. It's about giving parents access to information, so that they can be full partners in their children's education.

During the pandemic, many parents saw firsthand that their children; what they were learning, and how. Some were encouraged and some had questions. But nearly all agreed on one thing: they were looking for more visibility, more communication and more trust from the institutions that were educating their children. Recent nationwide polls found that 84% to 86% of parents supported policymakers requiring schools to increase their data transparency. Parents wanted to be able to see what their children are being taught, and allowing public transparency in education is in many ways the essence of our constitutional republic. The U.S. Department of Education, you know, they want local education agencies to give parents access to this information, and 660 simply makes this information available before the parents request it, thereby providing transparency and integrity without future burdens on Freedom of Access or, you know, data requests.

At the Legislature, we routinely ask for transparency in every other area of public policy, so, why should education be any different? This bill doesn't place any unreasonable burdens or second-guess any expertise; it's just asking that the public has access to the policies and practices in our communities. According to the Maine School Board Association, library books and materials are already available through district websites, data from State-based assessments are already available on data websites, so, the local district would just need to have a link to that; they don't have to create a new wheel and have an undue burden for this. It does not mean that schools have to disclose every single minor classroom interaction, that's not what this is about. It specifically pertains to the actual educational content and materials.

Just in summary, parents shouldn't have to worry about what their children; their classroom is learning, they should be able to have access to it without even asking. It gives parents a window, not a veto, just a view into the classroom. And we always say that transparency is a good thing. It also gives taxpayers a view of the fruit of their funding and their votes. So, that's why I urge my colleagues to support LD 660 and reaffirm the importance of transparency, accountability and partnership in our public education system.

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

Representative **MURPHY**: Thank you, Mr. Speaker. Curriculum development and implementation is governed at the local level. After lengthy public processes with ample opportunity for community input, curricula are subject to approval by local school boards at public meetings which are open to all. Once approved, curriculum materials are available to any members of the public upon request. This existing process already supports transparency, offering communities multiple avenues to review instructional content without requiring the SAUs maintain an online repository.

Additionally, professional educators must be permitted the flexibility to adjust curriculum as necessary on any given day in order to best serve the students in their classrooms. Parental access to materials being taught, and specifically parents' access to their student's performance on each and every assignment, far exceeds any monitoring that our parents had while we all moved through school. Students and parents have easy access to progress reporting, on formative and summative

activities through student information systems such as Infinite Campus or PowerSchool. These and other school platforms often host daily learning targets, associated learning activities and the resources used. Parents can also opt in to receive weekly email updates, which are automatically sent by these platforms at the end of each week.

As far as the professional development materials go, the creators of professional development materials own their own content, and public distribution is prohibited by the terms of use. So, publication on an SAU's website would not be possible.

In short, the transparency in public schools today is greater than it's ever been, and materials are available to anyone at any time when they wish to see them. Thank you, Mr. Speaker.

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

ROLL CALL NO. 257

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Cray, Daigle, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lanigan, Lavigne, Lemelin, Libby, McIntyre, Mingo, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - Adams, Archer, Cluchey, Eaton, Griffin, Hall, Lyman, Mason, Morris, Underwood, Wadsworth.

Yes, 75; No, 65; Absent, 11; Vacant, 0; Excused, 0.

75 having voted in the affirmative and 65 voted in the negative, with 11 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-375)** on Bill "An Act to Develop Maine's Credentialed Workforce"

(H.P. 1094) (L.D. 1653)

Signed:

Senators:

RAFFERTY of York
PIERCE of Cumberland

Representatives:

MURPHY of Scarborough
BRENNAN of Portland
CROCKETT of Portland
DODGE of Belfast
MITCHELL of Cumberland
SARGENT of York

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

Signed:

Senator:

LIBBY of Cumberland

Representatives:

BAGSHAW of Windham

CARLOW of Buxton

HAGGAN of Hampden

LYMAN of Livermore Falls

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-375)** 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-375)** and sent for concurrence.

Majority Report of the Committee on **EDUCATION AND CULTURAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Allow Firefighters to Be Eligible for State College Funding" (H.P. 1177) (L.D. 1759)

Signed:

Senators:

RAFFERTY of York

PIERCE of Cumberland

Representatives:

MURPHY of Scarborough

BRENNAN of Portland

DODGE of Belfast

MITCHELL of Cumberland

SARGENT of York

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-376)** on same Bill.

Signed:

Senator:

LIBBY of Cumberland

Representatives:

BAGSHAW of Windham

CARLOW of Buxton

HAGGAN of Hampden

LYMAN of Livermore Falls

READ.

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

Majority Report of the Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass** on Bill "An Act to Clarify the Prohibition on the Sale of Beverages in Plastic Containers"

(H.P. 1040) (L.D. 1582)

Signed:

Senator:

MARTIN of Oxford

Representatives:

BRIDGEO of Augusta

CAMPBELL of Orrington

RIELLY of Westbrook

SCHMERSAL-BURGESS of Mexico

SOBOLESKI of Phillips

WOODSOME of Waterboro

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

Signed:

Senators:

TEPLER of Sagadahoc

BRENNER of Cumberland

Representatives:

GRAMLICH of Old Orchard Beach

ANKELES of Brunswick

BELL of Yarmouth

OSHER of Orono

READ.

Representative DOUDERA of Camden moved that the House **ACCEPT** the Majority **Ought to Pass** Report.

The same Representative **REQUESTED** a roll call on her motion to **ACCEPT** the Majority **Ought to Pass** Report.

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

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

Representative **DOUDERA**: Thank you, Mr. Speaker. Mr. Speaker, although I am moving the Majority Ought to Pass Report, I am not supporting this Report, and I would urge the Body to follow my light and vote against this motion. And I want to just briefly explain why.

This is a bill that is really set up for one specific product, which is a product that is currently; a company that came out of Texas, it's now owned by a Maine company. It's a beverage, an alcoholic beverage that is plastic and metal. It has too much plastic in it to be recycled as metal; it has too much metal in it to be recycled as plastic. So, therefore, in Maine, it's not recyclable and it's not able to be sold.

I want to, you know, why is this important? It's important because we value recycling here in Maine. We have a trendsetting first-in-the-nation Bottle Bill, and we're very proud in the last few years to revamp that and really get it going. I don't think at this time we should be starting to make exceptions that will start including other types of materials that are really not recyclable. You know, it's true that other states do accept these spherical containers, however, they're not recycled in those states, they're thrown away. And we have an issue here in Maine with our landfills getting full and we don't need to put more plastics in them.

So, I think there's a lot of reasons why this is not a good bill, Mr. Speaker. You know, we need to be justifiably proud of what we're doing, we don't need to overburden the folks who do our recycling programs or who run our redemption centers and for all these reasons, I ask that people follow my light and vote against this motion. Thank you.

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

Representative **CLOUTIER**: Thank you, Mr. Speaker. Mr. Speaker, I rise today in strong support of the pending motion and I respectfully ask that you join me in support of the bipartisan Majority Report on this common-sense bill.

LD 1582 does one thing. It adds a definition for the term 'closure device' in order to resolve a vague provision that has created regulatory confusion in Maine law. Right now, the law prohibits certain beverage containers made of plastic and metal from being sold in the State, unless the metal is part of the closure device. But nowhere in rule nor Statute is 'closure device' defined, and that silence has led to a DEP interpretation that has blocked a single container type and product from entering the Maine market.

This section of Statute, Title 38, Section 3110, dates back to 1980 and over time has been amended, refined and modernized by no fewer than seven different Legislatures. At one time, it banned four different container types. Since then, various exemptions, revisions, additions and repeals have been enacted to reflect advances in packaging and recycling technology. To suggest that LD 1582 sets a dangerous precedent ignores this long history of thoughtful adaptation and reflects a fundamental misunderstanding of how Maine's bottle bill has evolved to meet the needs and technologies of the time.

Let me be clear: this bill does not create an exemption and it absolutely does not weaken Maine's bottle bill. It also does not attempt to carve out special treatment for an out-of-state corporation. Sazerac is one of America's oldest family-owned, privately held distillers, with deep ties to Maine. In fact, Sazerac's 1820 Spirits facility is located in the heart of Lewiston and was purchased from my neighbors, the Cullum family, in 2012. They are a Maine employer and a proud part of my community that has invested over \$10 million into their operations in recent years and provide more than 270 good-paying jobs to Maine workers. In 2024, Sazerac purchased Southern Champion, a Texas-based and women-founded company known for their iconic BuzzBallz brand, one of the most popular and fastest-growing ready-to-drink cocktails in the U.S. Opponents claim that this bill would allow non-recyclable containers to skirt the rules. That is simply not true. The BuzzBallz container, the product at the heart of this debate, is made of a recyclable PET plastic base, with a recyclable aluminum pop-top. It is accepted and processed in other states with equally mature redemption systems, including Vermont, California, Iowa, New York and Hawaii. In fact, these very containers are sold in 49 states and over 25 countries. The only state where they're prohibited is here in Maine, and not because they're unrecyclable, but because the Maine DEP does not consider the aluminum lid of a can to be a closure device.

I wholeheartedly reject the notion that Maine's recyclers are so technologically inferior to those across the country and around the world that they cannot handle these containers. A container requiring additional effort to recycle does not render it nonrecyclable. Other states manage these products effectively within existing redemption and recycling systems. And Maine's retailers want to sell these products. The Environment and Natural Resources Committee received testimony from the Maine Grocers and Food Producers Association that stated, "Maine's agency stores are currently missing out on the opportunity to sell BuzzBallz," and that the State is "putting our agency stores at a competitive disadvantage compared to neighboring states where these products are available. Maine consumers are aware of these products. They see them on social media, in stores when traveling or at out-of-state retailers.

They want to buy them locally, but they can't. Permitting these ready-to-drink cocktails and other emerging product categories in like-packaging helps Maine businesses tap into growing consumer trends." Additionally, Maine already allows hybrid material beverage containers, plastic wine bottles with aluminum screw tops, glass wine bottles with aluminum screw tops, plastic nip containers with metal tops, aseptic containers, which are made of paper, plastic and/or aluminum foil fused together. None of these container types are banned in Maine and are sold and recycled here every day.

LD 1582 is about creating parity and clarity. It's about keeping Maine competitive while maintaining our high environmental standards and values. This bill does not create a loophole; it closes one. It makes our law work the way it was intended, by defining a term in law that should have been defined when the law was written.

Lastly, as a fundamental matter, no other beverage container type comes with the requirement that its manufacturer provide definitive proof of its recyclability before it is allowed to be sold in the State. It is neither fair nor appropriate for this standard to be uniquely applied to a single container type and product.

Mr. Speaker, I urge you to accept the Majority Ought to Pass Report. Let's bring clarity to the law, fairness to the marketplace and opportunity to Maine consumers and businesses. Thank you, Mr. Speaker.

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

Representative **HEPLER**: Thank you, Mr. Speaker. I oppose the pending motion on LD 1582. It would allow multi-material containers to be included in Maine's Bottle Bill.

A major part of my time, as you may recall, in the 131st was overhauling Maine's bottle redemption program. We worked hard to streamline the sorting process, with the goal of sorting containers by material type; glass, some forms of plastic and aluminum; instead of by manufacturer, where redemption centers were often making over 200 and sometimes as many as 600 sorts.

Maine's Bottle Bill is a proven tool for reducing litter, conserving natural resources and fostering a culture of recycling across our State. It incentivizes efficient recycling and redistributes unclaimed deposit funds back into the program, ensuring that resources are reinvested to improve our environmental infrastructure and to support local small businesses. LD 1582 puts all of that at risk and is contradictory to these efforts. Allowing blended containers; a transparent plastic can with an aluminum top that can't be removed from the plastic; allowing those to enter the redemption center would create additional and cumbersome work for our redemption system. For them to be placed in the bottle redemption program means that redemption centers would be required to separate them from the other returnable containers, creating an additional sort for each brand and that's exactly what we're working towards ending.

Blended containers contain too much metal from the non-removable lid to be recycled with plastic containers, and too much plastic from the container itself to be recycled as metal. Again, the goal is to sort by material type. The contamination of plastic with metal, should that occur, can be dangerous. During the public hearing, we heard stories of metal in a plastic processing system causing fires. This is not like metal wine caps left on glass wine bottles. When glass is crushed, these are easily removed by magnets and the materials retain their integrity. The same with other spirits. You might've heard in the last few weeks that these blended containers are already sold

here in Maine, and Maine has more than 30,000 different beverages registered for sale at stores. If a blended container is found and reported, the Maine DEP takes the necessary steps to have those products removed from shelves. I checked with a redemption center in Portland, and I asked him what he did with those containers, and he said he refused to take them and he threw them in the trash.

This is simple. They are not recyclable containers, and they work against the goals of our bottle redemption system, which as I said, specifically exists to incentivize manufacturers, distributors, dealers and consumers of beverage containers to reuse or recycle those containers into new ones. Maine's system is efficient that way. In contrast, blended containers are typically, according to BuzzBallz's website, shredded, melted into flakes and used to make other outdoor furniture. Yes, they're recyclable, but they are not made into new containers.

Maine is special because of our commitment to recycling and we work hard to do it right. If these containers want to be sold in Maine, they're incentivized to make their materials more compatible with our ethos. Let's instead commit to policies that promote innovation, reduce waste and protect Maine's natural beauty for future generations. Thank you.

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

ROLL CALL NO. 258

YEA - Abdi, Albert, Arata, Ardell, Arford, Babin, Bagshaw, Bell, Bishop, Blier, Boyer D, Boyer M, Bridgeo, Bunker, Campbell, Carlow, Caruso, Chapman, Cimino, Cloutier, Collamore, Collins, Cooper, Crafts, Cray, Crockett, Daigle, Dhalac, Dill, Drinkwater, Ducharme, Eder, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gattine, Gifford, Golek, Greenwood, Guerrette, Haggan, Hasenfus, Henderson, Hymes, Jackson, Javner, Kuhn, Lajoie, Lance, Lanigan, Lee, Lemelin, Libby, Mason, Mastraccio, McCabe, McIntyre, Mingo, Moonen, Morris, Murphy, Nutting, O'Halloran, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rana, Rielly, Roeder, Rudnicki, Runte, Salisbury, Sato, Sayre, Schmursal-Burgess, Shagoury, Simmons, Skold, Smith, Soboleski, Stover, Strout, Supica, Swallow, Terry, Thorne, Tuell, Walker, Warren, White J, White R, Wood P, Wood S, Yusuf, Mr. Speaker.

NAY - Ankeles, Beck, Brennan, Copeland, DeBrito, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Geiger, Gere, Graham, Gramlich, Hepler, Julia, Kessler, Lookner, Macias, Malon, Mathieson, Matlack, Meyer, Milliken, Mitchell, Montell, Osher, Pluecker, Pugh, Ray, Roberts, Rollins, Sachs, Sargent, Sinclair, Webb, Woodsome, Zager.

ABSENT - Adams, Archer, Cluchey, Eaton, Griffin, Hall, Lavigne, Lyman, Underwood, Wadsworth.

Yes, 102; No, 39; Absent, 10; Vacant, 0; Excused, 0.

102 having voted in the affirmative and 39 voted in the negative, with 10 being absent, and accordingly the Majority **Ought to Pass** Report was **ACCEPTED**.

The Bill was **READ ONCE**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

Majority Report of the Committee on **HOUSING AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act to Increase Preparedness for Solar Power Adoption in Maine"

(H.P. 483) (L.D. 741)

Signed:

Senators:

CURRY of Waldo
BENNETT of Oxford

Representatives:

COLLAMORE of Pittsfield
EDER of Waterboro
GOLEK of Harpswell
ROBERTS of South Berwick
WALKER of Naples

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-340)** on same Bill.

Signed:

Senator:

BAILEY of York

Representatives:

GERE of Kennebunkport
JULIA of Waterville
MALON of Biddeford
YUSUF of Portland

READ.

Representative GERE of Kennebunkport moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The same Representative **REQUESTED** a roll call on her motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

LD 741 is a common-sense measure to help assure that new commercial buildings are ready to accept rooftop solar. It requires just that the builder designate an area on the roof, free from obstructions and assures that access to the electrical panel and battery storage is right there on the roof. It exempts buildings that don't have a feasible orientation to the sun and the MUBEC board will establish the rules for this provision.

Basically, this bill just requires a change in design specification for rooftops of commercial buildings. It does not require that buildings install solar; it merely assures that the building is solar-ready and any costs for doing this are negligible. But future potential cost savings for owners and tenants are real and reduce the total cost of ownership and operations. It also has the potential to lower energy costs for tenants in a building where solar has been installed and is a win-win for all parties involved. I encourage Members to follow my light and vote against the pending motion.

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

Representative **COLLAMORE**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I encourage you to please support the majority work of this Committee.

This bill, should it pass, would be a mandate on property owners, going against the hard-fought rights of property owners. It also would put a mandate on the property owners to build their building in a specific way, even if they choose not to use solar power. What it also does is it forces the costly preparation for a

technology that they may not only never use, but they could likely become outdated should they choose never to use it, but to prepare it for a potential down-the-road of a future owner, should the owner decide to sell. I think that this is a way to increase the cost of housing, because any building with over four apartments in it is considered commercial and this will only continue to increase the ever-costly fees of building homes for our Mainers. Thank you, Mr. Speaker.

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

Representative **SKOLD**: Thank you, Mr. Speaker. This bill will not force anyone to put up solar panels. What it would do is to simply say that when you're planning and designing your building, you identify and plan for a section of the rooftop that would be able to support solar panels in the future, should that future owner or yourself or anyone else decide to put them up.

When we make legislation, I believe we need to be thinking about the long-term and future impacts, the total cost of ownership of that building, as well as our renewable energy goals for the State. And this bill will help us plan for the future simply by making sure that when we're doing new commercial construction, we're thinking ahead to the possibility that we might, or someone might, want to put some solar panel or even some other new future technology that is for renewable energy in that space. It does not have a significant extra cost to plan right now for that future, but planning for that future will have a significant benefit to the building owner and to the entire State. I encourage you, Mr. Speaker, to vote against the pending motion. Thank you.

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

Representative **CAMPBELL**: Thank you, Mr. Speaker, Men and Women of the House. I've been dealing with solar energy since 1973. I'm a passive solar, energy-efficient, cost-effective, green design build contractor. I've been offering solar, wind. I've designed houses to adapt. My first house in 1973 had a 60-degree roof. If you've ever seen a 60-degree roof, I won't show you with my hands, but it's a little funky. The building has been sold twice, and nobody has invested in the solar that I thought was going to be the long-term, the future.

It's been stated that this is a requirement. To demand that something like this, after I've been offering it for over 50 years, it is just not acceptable for a public policy and a Body of such to be demanding. Let the people that build the buildings design their own buildings. If they want it, they can do it. But in my over 50 years, I've provided it, and no one has invested in it, because we're doing other things for these buildings. Good orientation, good insulation, get the heat in, keep it in. Thank you, Mr. Speaker.

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

Representative **LANIGAN**: Mr. Speaker, I'd just like to pose a question through Committee Members of this Committee. Has anyone done any research on when the load capacity on the roof with; essentially, when you're asking for space, they have to have air conditioning units, heating units and other types of units on top of the building, and those have requirements also. Do any of these new mandates affect the planning of those items on the roof and, if so, if you could just explain? Thank you.

The SPEAKER: The Representative from Sanford, Representative Lanigan, has posed a question through the Chair to Members of the Committee of jurisdiction, should they wish to answer. The Chair recognizes the Representative from Pittsfield, Representative Collamore.

Representative **COLLAMORE**: Thank you, Mr. Speaker. I rise to answer the question. Though there were no studies that were brought forward to us, the idea behind this is that this would take up 25% of the roof space and after all of the other allotments are there. So, really, you're looking at, depending on the size of the building and the roof, like, a very small portion that you are requiring an entire building to be prepared for. Thank you.

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

Representative **BLIER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm going to be in agreement with the Representative from Orrington. Whenever you design a building to establish what you're trying to achieve here, there's a cost to it. To say that you're not going to; you're going to build a building and get it prepared for solar and there's no cost, I don't agree with that. Technology is moving so quickly and moving in so many different directions that if you don't plan to put solar within the next five to 10 years, all the money you're spending at this point to get to where you're at right now will be obsolete. So, why increase the cost of housing, number one, or commercial space, if you're not going to mandate them putting on solar? If you're not going to mandate them putting on solar, allow the time to pass. When the time comes, things will change and whatever you're doing today won't work in five to 10 years. So, this is; I'm against this bill. Thank you, Mr. Speaker.

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

Representative **DUCHARME**: Thank you, Mr. Speaker. Your signature issue is homebuilding. According to the National Association of Homebuilders, 23.8% of the cost of a new home build is regulation like this. Now, this says commercial buildings only, but as we all know, there's this thing called the camel's nose under the tent. Once in commercial, then maybe, we move to residential. Just throwing it out there.

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

ROLL CALL NO. 259

YEA - Albert, Arata, Ardell, Babin, Bagshaw, Beck, Bell, Bishop, Blier, Boyer D, Bunker, Campbell, Carlow, Caruso, Chapman, Cimino, Cloutier, Collamore, Collins, Cooper, Crafts, Cray, Crockett, Daigle, Dill, Doudera, Drinkwater, Ducharme, Farrin, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Gramlich, Greenwood, Guerrette, Haggan, Hasenus, Henderson, Hepler, Hymes, Jackson, Javner, Lajoie, Lance, Lanigan, Lavigne, Lee, Lemelin, Libby, Macias, Mason, Mastraccio, Mathieson, McIntyre, Mingo, Morris, Nutting, O'Halloran, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Roberts, Rollins, Rudnicki, Salisbury, Sargent, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Terry, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S, Woodsome, Mr. Speaker.

NAY - Abdi, Ankeles, Arford, Boyer M, Brennan, Bridgeo, Copeland, DeBrito, Dhalac, Dodge, Faircloth, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Julia, Kessler, Kuhn, Lookner, Malon, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, Osher, Pluecker, Pugh, Rana, Ray,

Rielly, Roeder, Runte, Sachs, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Warren, Webb, Yusuf, Zager.

ABSENT - Adams, Archer, Cluchey, Eaton, Eder, Griffin, Hall, Lyman, Underwood, Wadsworth.

Yes, 90; No, 51; Absent, 10; Vacant, 0; Excused, 0.

90 having voted in the affirmative and 51 voted in the negative, with 10 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **HOUSING AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-333)** on Bill "An Act to Protect Consumers by Licensing Residential Building Contractors"

(H.P. 801) (L.D. 1226)

Signed:

Senators:

CURRY of Waldo
BAILEY of York

Representatives:

GERE of Kennebunkport
GOLEK of Harpswell
JULIA of Waterville
MALON of Biddeford
ROBERTS of South Berwick
YUSUF of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-334)** on same Bill.

Signed:

Senator:

BENNETT of Oxford

Representatives:

COLLAMORE of Pittsfield
EDER of Waterboro
MINGO of Calais
WALKER of Naples

READ.

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

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

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

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

Representative **GERE**: Thank you, Mr. Speaker. Mr. Speaker, I rise in support of the pending motion.

LD 1226 establishes the Residential Construction Board within the Office of Professional and Financial Regulation to administer licensing requirements for general contractors. Mr. Speaker, since 2020, the Attorney General's Consumer Protection Division has received 3,246 complaints against home construction contractors, and that does not include the cases that do not come to the AG's office. The Housing and Economic Development Committee heard very difficult stories from people from all over Maine of unfinished homes, projects abandoned by contractors who've skipped town and families who lost 10s and even hundreds of thousands of dollars in a deal with a contractor that did not do the work or did shoddy work and did not finish.

LD 1226 proposes a basic licensure framework for general contractors on projects valued at greater than \$15,000 or involving multiple licensed professionals. It gives the Department two years to ramp up the program. It exempts work done on your own home and exempts professionals already licensed by their own boards, including trades like electricians and plumbers. And the license will be initial license and then an annual renewal that will include continuing education requirements.

Mr. Speaker, this bill strengthens reputable contractors and rewards the honest, hardworking professionals all over our State and those that we so value in our communities. It also, very importantly, protects the homes and livelihoods of Maine people for whom their home is their most important and most valuable asset. Mr. Speaker, I urge Members to follow my light and support the pending motion. Thank you.

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

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

We're in a housing crisis; we keep hearing that all the time. The number changes between whether or not we need 74,000 more homes or 84,000 more homes. This bill, if passed, as written, on this Majority Report, mandates contractor licensing in this housing crisis. It actually will not stop the fraud that's occurring. It doesn't clearly lay out the requirements of licensing as the other licenses do. As a matter of fact, the Commissioner of the Office of Professional Regulation testified in opposition of this Report and supports the Minority Report.

Now, this would also give all of the authority of defining the requirements for this type of licensure to the board that is not made up of a majority of contractors. It includes lawyers; it includes contractors; yes, there are a couple of seats; but it also includes a lot of people who are not contractors, which is also atypical for licensing boards.

I ask that you vote this motion down, Mr. Speaker, and support the Minority Report that looks to see how licensing or registration could look in the State of Maine to avoid confusion. And what we're looking at is a potential loss of contractors, because they have no interest in going back to school at 60, 70 years old to learn how to do what they have to do for a license, especially when they don't know what's even required for that training yet. So, with that in mind, please follow my light. Thank you, Mr. Speaker.

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

Representative **ROBERTS**: Thank you, Mr. Speaker, Women and Men of the House. I rise today in support of the pending motion, one that is long overdue.

Let's be honest with ourselves, when it comes to home contractors in Maine, we don't need another study, Resolve or task force; we need accountability. LD 1226 delivers that. Maine is now one of only six states in the country that does not require licensing or registration for residential contractors, and we are paying the price. You heard it, 3,200 complaints in just a few years, many for work that was never completed, many never started and these are only the cases that the AG was aware of. We've heard from district attorneys and civil litigators that have seen many more, and some folks just choose to stay silent, embarrassed that they think they did something wrong. This is unsustainable. These are real Mainers. Seniors who handed over their savings to a contractor who vanished, veterans living in homes with unfinished roofs and exposed wiring, young families left without heat in February. And every

time, they hear the same thing: it's a civil matter. Translation: you're on your own.

The AG's office receives more complaints about home contractors than any other trade or business, but without standards, regulations, licensing, they can't stop these bad actors from doing it again and again and again. LD 1226 gives them the tools needed before more people are harmed. For 40 years, this issue has been raised in these halls, only to be repeatedly deferred. We must stop being reactive and start being proactive. We keep emptying the bucket under the leaky ceiling when we've known for too long that we just need a new roof. The damage this lack of oversight is causing to our entire State is not theoretical. This is happening in every single legislative district in Maine, with complaints from over 370 municipalities. Whether you live in a rural town or a growing suburb, it doesn't matter. There is no ZIP Code immune to this.

Now, let me address a few of the points I know are coming or have already come, because, Mr. Speaker, let's be honest, most of us have been here before. Some may say, we're in a housing shortage, why add regulations that might slow things down? The fact is, however, that the reverse is true. The housing shortage is exactly why we need this bill. We can't afford to lose more housing stock to fraud and poor workmanship. We can't afford to have half-built homes sitting abandoned while families wait months or years for resolution. And we absolutely can't afford to drive good contractors out of business because they keep getting underbid by unlicensed, uninsured operators who leave disaster in their wake.

This bill ensures that contractors working on jobs over \$15,000 or more, or are using multiple licensed trades, meet basic standards: carry liability insurance, satisfy minimal education requirements and don't walk away with your money. It also includes reasonable exemptions for emergencies, DIY homebuilders and single-trade professionals. It isn't overly prescriptive on purpose. It leaves time and space for adjustments, because we haven't done this before, so, we need a measured and balanced approach.

Some will say we need to study this more, and I would ask, and then what? We've been studying it for decades. In that time, Vermont passed a registry, Massachusetts and Rhode Island require licenses; 37 states have already done this. Meanwhile, here in Maine, the complaints keep rolling in year after year. The damages continues, the stories pile up and nothing changes.

Another thing we hear: 'licensing won't solve all of this.' Well, of course it won't, but it will solve something. It gives consumers a way to verify qualifications. It gives the Attorney General the ability to stop fraud before it spreads. It provides standards and disclosure and accountability. And to those who fear this will crush small contractors, this bill was written in collaboration with those contractors. It's supported by more of the industry than in any previous iteration of this policy that I've seen here. Because they know the current system punishes the professionals and rewards the predators.

I've heard that licensing contractors will drive up housing costs. That's one thing we need to clear up. It's the lack of accountability that's costing Mainers the most. The cost of fraud, redos and legal dead-ends far outweigh a modest licensing fee. LD 1226 is not about adding financial burdens; it's about preventing the far greater economic and emotional toll of being scammed out of your life savings or left living in a half-finished, unsafe home. The truth is, Mr. Speaker, what we can't afford is to keep pretending that unqualified work is somehow affordable. We license massage therapists, we license barbers, we license interior designers, we license manufactured housing

and their inspectors, but we don't license the people on your property building or remodeling your home. That's not just a policy gap; it's a hole.

So, no, this bill won't solve everything. There's no silver bullet when we've done nothing for so long. But it will stop us from making it worse through neglect and inaction. It will protect Mainers who are doing everything right: saving, borrowing and trusting this State to have their back. Mr. Speaker, I urge the Body to vote Ought to Pass on LD 1226, and to those who still want to delay action, I'll leave you with this: The cost of doing nothing is already being paid by our constituents, one shattered dream home at a time. Let's do better.

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

Representative **BLIER**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm not going to disagree there's not bad actors out there that take advantage of the general public. That does exist. But why do we want to regulate the masses to protect; or go after a few bad actors? The industry people that support this is because they see this as a win, a windfall of money. Because if you license contractors, they're going to get a lot more money to produce the product that they're producing.

Affordable housing is what we need. This does not help us achieve that at all. The cost of building houses today is only going to go up if we license the contractors. We can't build houses fast enough, that's why we have a housing shortfall. I've been in the industry for 35 years. Most of the people I know are in the industry are older. They are not going to get licensed. They're getting close to retirement age, and you know what we're going to lose when they leave? People that train, train new carpenters that come in to learn the trade. If we get a mass exodus of carpenters that are already in the trade, we're going to be in a worse case than we are right now as far as the shortage in housing.

I feel bad for the people that are getting ripped off by bad contractors. Let's focus on going after those people with the Attorney General or some other form rather than going after all the contractors in our State, making them get licensed and reducing the workforce that we have in our State that we desperately, desperately need to get affordable housing. Thank you.

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

Representative **QUINT**: Thank you, Mr. Speaker. May I pose a question through the Chair?

The SPEAKER: The Member may proceed.

Representative **QUINT**: Thank you. Does current law prevent the AG's office from prosecuting these crimes at this moment?

The SPEAKER: The Representative from Hodgdon, Representative Quint, has posed a question through the Chair to any Member who wishes to answer. The Chair recognizes the Representative from Pittsfield, Representative Collamore.

Representative **COLLAMORE**: Thank you, Mr. Speaker. Mr. Speaker, currently, the AG's office is able to prosecute these crimes, especially if they're over \$15,000; that would fall under grand larceny. They're thefts, they're felons and they should be prosecuted as such. They did let us know during the public hearing that they rarely prosecute these crimes. Thank you.

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

Representative **CAMPBELL**: Mr. Speaker, Men and Women of the House, I won't go over my experience again, but, you know, this would be the best bill I would ever dream of. Do

you know how many projects are going to go without contractors? Think of those projects that get the teachers in their off time, the firemen, the policemen, the retired contractors that want to dabble. Those will be gone. This will be a wonderful bill for me. I'm already out two years, so, I'll just increase the prices.

This is bad for the consumer and the rewards for the contractor are in overwhelming amounts of work that the homeowner can't get done. Continued education? I sat through the architectural continuing education bill and didn't say a word. If those architects, and now contractors, aren't learning something by being in business, they're not worthy. Why don't we pass a bill to help consumers get educated on the value of contractors? All they have to do is check my website, check with a neighbor who has had a non-licensed contractor, teacher, firefighter, policeman, do the work. If they aren't doing a good job, number one, if they're stealing money before they start work, I'll bet you wouldn't hire them. Come on. Where's the responsibility? Let's teach those consumers that they ought to educate themselves on contractors. Thank you, Mr. Speaker.

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

Representative **GERE**: Thank you, Mr. Speaker. I rise to address a few of the questions and items that have been mentioned.

First, I wanted to read from the letter the Committee received from the Attorney General's office with regard to their efforts in this area. Quote, "Unfortunately, under existing law, our office's enforcement tools are extremely limited. Like consumers, our office can file a civil lawsuit, but we encounter the same problems as the consumer: litigation is slow, sometimes years long and contractors usually have insufficient assets to satisfy a judgment. In the meantime, consumers and their families are living in unsafe, unfinished homes, without the money to hire anyone else to fix them. And, infuriatingly for the consumers, the contractor can continue to operate while the lawsuit is pending and inflict more harm on consumers," unquote.

Importantly, in LD 1226, the composition of the Residential Construction Board includes, yes, three general contractors, but also one code enforcement officer, the expert in the building codes and how those must be followed in the industry; one attorney with expertise in construction law to address some of the concerns that the AG raised and make sure that the regulations are being established to address legal concerns; one representative from the University of Maine who understands the CTE pipeline of workers and making sure to consider that in the regulatory structure; one architect, also very important for good building; and two members of the public. So, this has been thought through in the composition of the board to make sure that some of the needs that the AG would need to do a better job and address more of these cases are in here.

In addition, the proof of; rather, the requirements on the contractors include that they have satisfied the education requirements of the licensing. And so, that really means, if you are someone who's been in the business for 20 years and can demonstrate that, that is one of the ways that the board will be considering initial licenses, and that will be part of the rulemaking process that they will engage in. They will also check for legal proceedings or other judgments that any contractor applying for a license may have and also require proof of insurance. So, this level of scrutiny is going to help level the playing field and make sure that those who are participating in this industry are well vetted and have to apply on an annual basis for renewal, so that we will be able to strengthen the whole

industry and make these cases much less frequent, and therefore, the actions of the AG and other legal proceeding much more targeted and focused, so, the consumers can have remedies for these serious harms that they are suffering and continue to suffer. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Rudnicki.

Representative **RUDNICKI**: Thank you, Mr. Speaker. May I pose a question?

The SPEAKER: The Member may proceed.

Representative **RUDNICKI**: What is the process if someone files a complaint against a licensed professional?

The SPEAKER: The Representative from Fairfield, Representative Rudnicki, has posed a question through the Chair to any Member who wishes to answer. The Chair recognizes the Representative from Pittsfield, Representative Collamore.

Representative **COLLAMORE**: Thank you, Mr. Speaker. I rise to answer the question.

Currently, the process goes as follows. A complaint is filed with the licensing board, the licensing board then will look over the complaint and review it. Many complaints are often not taken up, because something is resolved between the complainant and the licensed professional. Sometimes, it goes on further and there might be something that goes against the license, but the person who; in this case, if it were contractor licensing; the contractor would have the ability to appeal. There is nothing preventing them from continuing to do their work while they are under this process in licensing. So, regardless of whether it's the AG's office prosecuting fraud or if it's the licensing board, they're still able to continue to practice. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Kessler.

Representative **KESSLER**: Thank you, Mr. Speaker. I didn't plan to speak, but I needed to respond to something that the Representative from Orrington had said about doing your research. And I just wanted to share a personal story about work that I got done on my own house.

I've been working in the building trades for 15 years, so, I do know a little bit about something, and I was looking for somebody to do some exterior work on my house. You know, about a \$50,000 project. And I had a hard time finding a contractor to do that. It became so difficult that the home equity loan that I took out was losing value by the day. There were so few contractors, it was just really hard. So, luckily, there were some people next door who used a guy that did work on their house, and then, the same guy did work on the other house next door. And my neighbors had a great experience with that. He was known around the neighborhood; I thought, okay, this is going to be all right. It turns out he was a hack job, and I ended up losing thousands of dollars having to repair the stuff that he was supposed to fix. I had to bring him to court. I'm glad I got some of my money back, but not all, and I have an uncertain future just wondering what's lurking behind that wall, what is the next thing that's going to fail in my house.

So, could contractor licensure have maybe helped me avoid this situation? Maybe. Maybe this guy would not have pursued that licensure, or maybe he would've learned something, because he thought, 'well, I've been doing this for 20 to 30 years, I know what I'm doing, I know what I'm talking about.' But also, it's those contractors that are doing the work, taking shortcuts when the homeowners don't know about it. So, I am in wholehearted support of this bill. We need to do something to protect homeowners. Even the homeowners that

are a little bit more knowledgeable about contracting, they can still get screwed. So, please, vote for the pending motion.

The SPEAKER: The Chair recognizes the Representative from Milford, Representative Drinkwater.

Representative **DRINKWATER**: Thank you, Mr. Speaker. Mr. Speaker, I know a lot of attorneys. They have to be licensed also. I've also seen a lot of ethic complaints against attorneys. That license doesn't guarantee a great attorney. I've been in the car business for over 40 years. All car dealers have to be licensed. Trust me, I can tell you some crooks that were car dealers. They had a license, but that didn't change that they were out to rip people off. So, how is a license going to guarantee quality and somebody that does not take advantage, especially of senior citizens? It does not guarantee that. Thank you.

The SPEAKER: The Chair recognizes the Representative from Wells, Representative Foley.

Representative **FOLEY**: Thank you, Mr. Speaker. I've heard a couple of times that one of the benefits of this bill and licensing is that it will force the contractor to have general commercial liability insurance. I just wanted to point out that contractors' liability insurance does not cover faulty workmanship, fraud or the lack of performing the job. So, you're not going to get any benefit out of commercial liability to protect those exposures.

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

ROLL CALL NO. 260

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Cray, Daigle, Dill, Drinkwater, Ducharme, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hepler, Hymes, Jackson, Javner, Lance, Lanigan, Lavigne, Lemelin, Libby, Mason, McIntyre, Mingo, Morris, Nutting, O'Halloran, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - Adams, Archer, Cluchey, Eaton, Eder, Griffin, Hall, Lyman, Underwood, Wadsworth.

Yes, 72; No, 69; Absent, 10; Vacant, 0; Excused, 0.

72 having voted in the affirmative and 69 voted in the negative, with 10 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-333)** 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-333)** and sent for concurrence.

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

Majority Report of the Committee on **HOUSING AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Bill "An Act to Protect Maine Consumers Shopping for Electric Vehicles from Deceptive Advertising and Marketing Practices" (H.P. 859) (L.D. 1324)

Signed:

Senator:

CURRY of Waldo

Representatives:

GERE of Kennebunkport

COLLAMORE of Pittsfield

EDER of Waterboro

GOLEK of Harpswell

JULIA of Waterville

MALON of Biddeford

MINGO of Calais

ROBERTS of South Berwick

WALKER of Naples

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

Signed:

Senators:

BAILEY of York

BENNETT of Oxford

Representative:

YUSUF of Portland

READ.

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

Majority Report of the Committee on **HOUSING AND ECONOMIC DEVELOPMENT** reporting **Ought Not to Pass** on Resolve, to Direct the Maine State Housing Authority to Amend Its Rules Governing the Fuel Assistance Program Regarding Benefit Payments for Wood Fuel

(H.P. 1043) (L.D. 1585)

Signed:

Senators:

CURRY of Waldo

BENNETT of Oxford

Representatives:

GERE of Kennebunkport

GOLEK of Harpswell

JULIA of Waterville

MALON of Biddeford

ROBERTS of South Berwick

YUSUF of Portland

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

Signed:

Representatives:

COLLAMORE of Pittsfield
EDER of Waterboro
MINGO of Calais

READ.

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

Majority Report of the Committee on **LABOR** reporting **Ought Not to Pass** on Bill "An Act to Repeal the Laws Providing for Paid Family and Medical Leave and to Reimburse Taxpayers" (EMERGENCY)

(H.P. 260) (L.D. 406)

Signed:

Senators:

TIPPING of Penobscot
RAFFERTY of York

Representatives:

ROEDER of Bangor
ARCHER of Saco
BECK of South Portland
GEIGER of Rockland
MACIAS of Topsham
SKOLD of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-366)** on same Bill.

Signed:

Senator:

BRADSTREET of Kennebec

Representatives:

COLLINS of Sidney
DRINKWATER of Milford
LIBBY of Auburn
SOBOLESKI of Phillips

READ.

Representative ROEDER of Bangor moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

Representative **MORRIS**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the pending motion.

Maine's citizens currently shoulder one of the highest tax burdens in the nation. As of January 1st, with the implementation of this new payroll tax, that burden has gotten even higher. It should be noted this tax took effect during the height of winter, when Mainers need money to heat their homes. Additionally, in recent years, people have seen inflation cause the cost of living to rise, as life essentials from groceries, utilities, property taxes, gas prices have all gotten higher. That's why this bill is proposed as an emergency. If passed, it will immediately repeal the current Paid Family Medical Leave

program and send the money back to the taxpayers. This will put money back in people's pockets immediately, as well as prevent future tax increases to pay for the program based on utilization in future years.

The rollout of this new tax has been clumsy. Businesses report of problems accessing the portal, as well as being able to put in all the information for their business. Unfortunately, this is nothing new for the same Department of Labor that failed so many Maine people seeking unemployment relief during COVID. On that subject, despite having more than a year to write the rules for this program, employers that have a private plan could receive an exception as of January 1st, all businesses are required to pay this new tax. No answers have been given whether those businesses had ultimately receive an exception from this tax will have their money returned. This is unacceptable. That money could have been used by employers for other benefits for their employees. Instead, it is tied up by an incompetent bureaucracy.

This new tax has also caused employers to cancel other policies and benefits that were in place to help their employees. One example is businesses that have canceled short-term disability policies to pay for this new tax, whose benefits will not be paid out for over a year and a half at the earliest. This means employees who would have had access to leave will not have it now to pay for a program that they are still not sure of the total costs.

The costs of this program have been underestimated by the proponents. The definition of 'family' in this program is so broad, encompassing everyone someone may have a familial relationship with. This goes beyond what is traditionally found in family leave programs. This will cause more demand and more expenses and require more money from taxpayers in future years, which is the most problematic and unconstitutional part of this law. This law cedes the power of taxation, which is designated to the Legislature by the Maine Constitution, to a third-party administrator. Beginning in 2028, a third party will be able to determine how much Maine workers and employers will have to pay in taxes to cover the cost of this program. This is a dangerous precedent, and we should repeal this tax immediately.

It has been speculated that many of the private programs; businesses that are able to afford one, will go and be able to do a private program, which will create a potential death spiral in this market, which will cause the tax in this program to go from what is currently only one percent, to rise even further in future years. It should also be noted that Maine workers and businesses, in addition to paying their own share of this tax, they've been required to pay for State workers as well. If this tax is for such a benevolent program, State workers should have to pay their fair share of this tax as well. It is not fair to expect the private sector and its workers to bear the entire burden of this program.

Maine people are already paying among the highest taxes in the country. We have no idea what the true costs are and how much this tax could rise. State workers have been exempted from paying their fair share of this tax. I encourage this Body to reject the pending motion and repeal this new tax. Thank you.

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

Representative **ROEDER**: Thank you, Mr. Speaker. Mr. Speaker, in a 2022 *Omnibus* poll, this program, Maine Paid Family Medical Leave, was supported by about 70% of Mainers. That included 88% of Democrats, 66% of Independents and 56% of Republicans. It's a popular program even before it was

in law, even before it started, even before it pays out a single benefit.

And my good friend from Turner spoke of speculation that costs and premiums will spiral out of control, but research and experience tends to beat speculation. And in our national experience of paid family medical leave, paid family programs across the country have remained stable over time, with most states avoiding major rate increases and no premium over 1.2%. Contribution levels are set based on actuarial analysis, and that actuarial analysis, per the law, has to be updated time and time again, so that we are keeping those premiums low. And as to the solvency of this particular fund, according to the DOL after receiving first quarter contributions, the fund is on track to be solvent and ready to pay benefits starting in May 2026.

Also, according to the Department of Labor, when discussions about a PFML program began in earnest, it has been clear that most Mainers support having such a program. Through the work of the PFML legislative commission, the testimony provided during the 131st Legislature, the feedback provided to DOL during the public listening sessions and the documented comments provided during the rulemaking; two rulemaking public comment periods; this support was reinforced.

To date, the Department has met all of the ambitious benchmarks that were identified in the legislation. These include robust rulemaking process, a procurement of systems and vendors and the creation and implementation of a contribution and wage reporting system. Thank you.

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Beck.

Representative **BECK**: Thank you, Mr. Speaker, and Distinguished Members of the House. I rise in support of the pending motion.

We've heard a lot of concerns about how Maine's Paid Family and Medical Leave program might affect businesses, but the truth is, the evidence from other states shows just the opposite. Paid family and medical leave is good for workers and good for business. Paid leave helps employers hold onto workers. When employees can take time to care for themselves or a loved one and come back to their jobs, businesses save money on turnover and training. It helps keep people in the workforce, especially women. Women with access to paid leave are 20% more likely to stay in the workforce a year after giving birth and 50% more likely after five years. And this program helps working families avoid financial crisis, and helping working families is something everybody in this House cares about. A quarter of dual-income families who file for bankruptcy do so after missing just two weeks of work to care for themselves or someone else. That's exactly what this program is designed to prevent.

But today, we're seeing proposals that would weaken these benefits and make the program harder to access or eliminate it all together. Some bills expand the hardship exemption so broadly that workers at small or seasonal businesses might lose access to the benefits they paid for with no right to appeal. Maine's current law already has guardrails. Workers must be eligible, apply properly and submit documentation from a health provider. This is a responsible program, built with strong oversight and clear rules.

Paid Family and Medical Leave goes into effect in just 11 months. Let's give it the chance to succeed. Programs like this work if we let them. Weakening or repealing it now would hurt workers, hurt employers and hurt Maine's economy. Thank you, Mr. Speaker.

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

ROLL CALL NO. 261

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Daigle, Drinkwater, Ducharme, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lanigan, Lavigne, Lemelin, Libby, Mason, McIntyre, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - Adams, Archer, Cluchey, Cray, Eaton, Eder, Griffin, Hall, Lyman, Underwood, Wadsworth.

Yes, 75; No, 65; Absent, 11; Vacant, 0; Excused, 0.

75 having voted in the affirmative and 65 voted in the negative, with 11 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-353)** on Bill "An Act to Report Gender Wage Gaps" (H.P. 506) (L.D. 799)

Signed:

Senators:

TIPPING of Penobscot
RAFFERTY of York

Representatives:

ROEDER of Bangor
ARCHER of Saco
BECK of South Portland
MACIAS of Topsham
SKOLD of Portland

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

Signed:

Senator:

BRADSTREET of Kennebec

Representatives:

COLLINS of Sidney
DRINKWATER of Milford
LIBBY of Auburn
SOBOLESKI of Phillips

READ.

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

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

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

The SPEAKER: The Chair recognizes the Representative from Milford, Representative Drinkwater.

Representative **DRINKWATER**: Thank you, Mr. Speaker. LD 799 is just an additional burden placed on businesses both large and small.

Under definition, 'covered employer' means an employer that employs at least one employee within the State and at least 250 employees within the United States. The bill goes on to require the employer to ask employees what gender they identify with. Here it is, Mr. Speaker, Section 1, Number 2: "the gender of an employee is based on self-identification by the employee. An employer may submit the gender of an employee based on the existing record if the employee's gender in the record is based upon self-identification by the employee." Section 2, Number 2: Reporting of data. Beginning June 1st of '26, and annually thereafter, "a covered employer shall submit to the bureau a report based upon data collected in the most recent snapshot week pursuant to subsection 2, including:" (A) the number of male employees; (B) the median hourly equivalent rate of pay for all male employees; (C) the number of female employees; (D) the median hourly equivalent rates for pay for all female employees; (E) the number of nonbinary employees; (F) the median hourly equivalent rate of pay for all nonbinary employees.

If this bill passes, it's only a matter of time before this Body pushes through a law mandating the hiring of nonbinary individuals, regardless of qualification or need. There are hundreds of churches across Maine, and this bill would force them; if that bill was to be passed; a gender identity of their employees, something that directly conflicts with their deeply held beliefs rooted in Genesis 1:27: 'and God created male and female did He create'.

I have no issue with adults who identify as nonbinary. However, mandating businesses to report employee gender identity places an unnecessary burden on small businesses. In my rural district, businesses are already struggling to stay afloat. Even the Department of Labor is concerned with the enforcement mechanisms, resources requirements for the Bureau of Standards and potential overlaps with the Maine Human Rights Commission. The Maine School Superintendents Association is also concerned with this bill. Here's a quote from their testimony. "It's not an easy task to calculate the hourly equivalent rates of pay for each subsection of employees, as required in this bill, and will likely take hours of additional work from our business departments."

Mr. Speaker, we have testimony from 29 different business organizations, and here's a quote from their testimony: "LD 799 raises significant legal uncertainties for employers by mandating the collection and disclosure of gender identity information. The Maine Human Rights Act prohibits employers from inquiring about an individual's sex or gender identity unless it is directly relevant to a *bona fide* occupational qualification. While the Maine Human Rights Act specifically restricts such inquiries during pre-employment, extending such requirements into ongoing employment settling creates potential conflict with the law. Furthermore, LD 799 overlaps with federal laws, including Title VII of the Civil Rights Act and Equal Opportunity Employee

Commission regulations. Under EEOC reporting requirements, which keep wage data confidential, LD 799 mandates public disclosure. Requiring businesses to categorize employees by gender and report pay disparities could lead to claims of discrimination or privacy violations. For example, Title VII prohibits employment discrimination based on sex, gender identity and other protected classes. If an employer inadvertently misclassified an employee's gender or if employees feel pressured to disclose their gender identity, it could give rise to claims of discrimination or privacy violations. Additionally, if public wage reports suggest disparities that federal agencies later determine do not constitute violations, businesses could still face irreparable harm and unnecessary legal changes." End quote. Thank you, Mr. Speaker.

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

Representative **ROEDER**: Thank you, Mr. Speaker. In regards to the concerns of my Good Friend from Milford, LD 799 affects employers that have 250 or more employees. So, I wouldn't necessarily say that that was a small business concern. The just one person in Maine relates to those companies that maybe have one employee in Maine, but they are a company that has 250 or more employees.

Also, in terms of the gender, I just want to read part of the bill itself. "The gender of an employee is based on self-identification by the employee. An employer may submit the gender of an employee based upon an existing record if the employee's gender in the record is based on self-identification by the employee." Also, prior to submitting the data to the Bureau pursuant to Subsection 3, the employer shall allow an employee the opportunity to review the submission and make any correction to an error in the employee's data. Also, all of the data being sent in is de-identified. There is no way to tie gender to a particular employee, and if you, yourself, as an employee do not disclose your gender, you're not counted in that. Thank you.

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

ROLL CALL NO. 262

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Daigle, Drinkwater, Ducharme, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lanigan, Lavigne, Lemelin, Libby, Mason, McIntyre, Mingo, Morris, Nutting, O'Halloran, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - Adams, Archer, Cluchey, Cray, Eaton, Eder, Griffin, Hall, Lyman, Underwood, Wadsworth.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-353)** 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-353)** and sent for concurrence.

Majority Report of the Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-362)** on Bill "An Act Establishing the Retirement Benefit Improvement Fund"

(H.P. 650) (L.D. 1003)

Signed:

Senators:

TIPPING of Penobscot
RAFFERTY of York

Representatives:

ROEDER of Bangor
ARCHER of Saco
BECK of South Portland
GEIGER of Rockland
MACIAS of Topsham
SKOLD of Portland

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

Signed:

Senator:

BRADSTREET of Kennebec

Representatives:

COLLINS of Sidney
DRINKWATER of Milford
SOBOLESKI of Phillips

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-362)** 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-362)** and sent for concurrence.

Majority Report of the Committee on **LABOR** reporting **Ought Not to Pass** on Bill "An Act to Make Paid Family and Medical Leave Voluntary" (EMERGENCY)

(H.P. 848) (L.D. 1273)

Signed:

Senators:

TIPPING of Penobscot
RAFFERTY of York

Representatives:

ROEDER of Bangor
ARCHER of Saco
BECK of South Portland
GEIGER of Rockland
MACIAS of Topsham
SKOLD of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-367)** on same Bill.

Signed:

Senator:

BRADSTREET of Kennebec

Representatives:

COLLINS of Sidney
DRINKWATER of Milford
LIBBY of Auburn
SOBOLESKI of Phillips

READ.

Representative ROEDER of Bangor moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

Representative **SOBOLESKI**: Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in support of LD 1273. This bill represents a critical step towards ensuring that Maine's businesses and workers have the flexibility they need to thrive.

We all recognize the importance of family and medical leave. It provides workers with the ability to care for loved ones, recover from illness and balance personal responsibilities. However, a one-size-fits-all mandate does not serve the diverse needs of Maine's workforce. LD 1273 ensures that businesses, particularly small businesses, can choose whether to offer Paid Family and Medical Leave rather than being forced into a system that may not align with their financial realities. By making Paid Family and Medical Leave voluntary, we empower employers to craft policies that work best for their employees while maintaining economic stability. This bill protects job creators, allowing them to remain competitive and sustain their businesses, without undue financial burdens. It also respects the autonomy of workers, giving them the freedom to negotiate benefits that suit their individual circumstances.

Maine has always been a State that values freedom, flexibility and fairness. LD 1273 upholds these principles by ensuring that businesses and employers can make decisions that best fit their needs. I urge my colleagues to support this bill, vote no on the Ought Not to Pass motion and stand with Maine's workers and employers in fostering a system that prioritizes choice and sustainability. Thank you.

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

Representative **ZAGER**: Thank you, Mr. Speaker. I rise in support of the pending motion and of the Ought Not to Pass Report and in support of Paid Family Medical Leave as a mandatory program, recognizing that it's a big change.

We are in this period of time after the payroll taxes have started to be deducted, but before the benefits have been fully realized. But I think it's important to mention that; on at least one of these Paid Family Medical Leave bills; one of the key things that I think it pertains to, because it deals with medical leave, health leave, I think it's important to look at some health and medical indicators and outcomes.

A lot has been discussed regarding the perinatal; the pregnancy-related and soon-after-pregnancy outcomes; that this would help. The American College of Obstetricians and Gynecologists is very strongly in support of Paid Family Medical Leave programs, because of what it does for improving outcomes in maternal-child health: reducing miscarriages, reducing toxic exposures in critical times during pregnancies, improving bonding after birth, reducing pre-term birth, which is actually the number one cause of infant mortality in Maine. A week ago, the Legislature received the updated report from the Maternal Fetal and Infant Mortality Review Panel, which reports annually, and it's that outcome, the pre-term births is more; it's about twice as relevant as any other cause of infant mortality. So, if we want to reduce infant mortality, Paid Family Medical Leave is a really good policy to adopt.

There's also implications for health that have to do with the financial well-being of a family, a family unit. This program particularly helps; it particularly helps women. And female-headed households, unfortunately, in our society, have an unfair situation; they tend to have fewer financial resources, harder time getting along, getting by in our society. The gender wage gap, as we discussed on a previous item on our agenda, on our Calendar today, persists. It's about 15% discount for being a woman and working in this society in this State. And that also has implications for the lifetime earnings, not only how much somebody is making in a given year or per hour, but when we have things like Social Security; which are indexed to the lifetime earnings; having a series of impediments that keep somebody from earning a better income, earning a fairer income, you know, parity with their male counterparts is unfair, and Paid Family Medical Leave has a role in that, because it ensures that they can return to their job within the constraints of the program.

So, those are some things regarding perinatal outcomes and lifetime financial implications that have to do with health and child well-being. There's other things that people don't automatically or intuitively necessarily know that are not perinatal. But Paid Family Medical Leave, for instance, has been studied since it was passed. A very well-constructed study was published in the *Journal of American Medical Association Pediatrics*, which found an 18% decrease in infant respiratory infections needing acute care. In other words, Paid Family Medical Leave reduces the number of infants who are brought to an emergency room because of respiratory illnesses.

Representative **SOBOLESKI**: Mr. Speaker.

The SPEAKER: The Member will defer. The Chair would inquire as to why the Representative from Phillips rises.

Representative **SOBOLESKI**: Thank you, Mr. Speaker. This line has nothing to do with the contents of the bill. It's not about redoing the contents of what the program's about. This is about making the program voluntary, Sir.

Representative **SOBOLESKI** of Phillips asked the Chair if the remarks of Representative **ZAGER** of Portland were germane to the pending question.

The SPEAKER: The Chair would rule that the Member's comments are about, from what I've heard so far, the Member's comments are about the benefits of Paid Family Medical Leave. It seems as though the Member's comments are germane to whether or not the policy as is should be changed or not.

The Chair **RULED** that the remarks of Representative **ZAGER** of Portland were germane to the pending question.

The SPEAKER: The Member may proceed.

Representative **ZAGER**: I appreciate the Point of Order. I neglected to say, these studies were done on mandatory programs. That's the connection to this bill. The benefit is in the comprehensiveness, like in any sort of social insurance or insurance policy. And I appreciate the Members raising that question, because I neglected to point out that connection more clearly.

Cancer screenings also, in a mandatory program, a mandatory paid family leave program, also improve. People tend to have better connections to primary care. This is true for colorectal screenings, improving by 56% in a mandatory Paid Family Medical Leave program; mammograms more than doubled in a study done just two years ago.

I appreciate the indulgence of the Speaker in sharing my thoughts on why a mandatory Paid Family Medical Leave program has significant health impacts not only for perinatal outcomes, but for lifelong outcomes. Thank you, Mr. Speaker.

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

Representative **ROEDER**: Thank you, Mr. Speaker. Mr. Speaker, just to piggyback a little bit on the Good Representative from South Portland's comments and to also reflect my own; in those same programs, in addition to the health benefits for foster children, paid family leave improves the health of foster parents, too. I would've really liked to have paid family medical leave when my sons were placed with me, because my health certainly suffered.

As to the voluntary aspect of this bill, there are problems. In New Hampshire, there is a voluntary program, and only three percent of people have signed up for it. South Carolina, zero percent. There's an article in the *Houston Chronicle* about a program in Texas which is not a law, it's just voluntary acceptance of paid family leave policies, and Kristin Smith, the director the policy research shop at Dartmouth, said that private sector employers have had 30 years to offer this benefit. Those who already can and want to are already offering it. And if we're looking at Texas's program, if we're looking at New Hampshire's program, New Hampshire spent millions of dollars trying to market the program to people, so, they wasted a bunch of taxpayer dollars trying to let people know it exists, because people didn't even know about that, and Texas is considering the same thing.

I also want to point out a problem with the way the bill is drafted, as was notified to us by the Department of Labor. This bill also presents several challenges regarding the procurement of an insurance company that will offer paid leave products to employers. As proposed, there will be only one insurance carrier. This eliminates the choice employers have under the current PFML structure to choose an insurance policy that fits the need of their organization and workforce through a private plan. Thank you.

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

ROLL CALL NO. 263

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Copeland, Crafts, Crockett, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Daigle, Drinkwater, Ducharme, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lanigan, Lavigne, Lemelin, Libby, Mason, McIntyre, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Schmursal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - Adams, Archer, Cluchey, Cray, DeBrito, Eaton, Eder, Griffin, Hall, Lyman, Underwood, Wadsworth.

Yes, 74; No, 65; Absent, 12; Vacant, 0; Excused, 0.

74 having voted in the affirmative and 65 voted in the negative, with 12 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

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

Majority Report of the Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-363)** on Bill "An Act Concerning Displaced Civilian Federal Firefighters in Maine"

(H.P. 724) (L.D. 1105)

Signed:

Senators:

TIPPING of Penobscot
RAFFERTY of York

Representatives:

ROEDER of Bangor
ARCHER of Saco
BECK of South Portland
GEIGER of Rockland
MACIAS of Topsham
SKOLD of Portland

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

Signed:

Senator:

BRADSTREET of Kennebec

Representatives:

COLLINS of Sidney
DRINKWATER of Milford
SOBOLESKI of Phillips

READ.

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

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

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

The SPEAKER: The Chair recognizes the Representative from Milford, Representative Drinkwater.

Representative **DRINKWATER**: Mr. Speaker, LD 1105 prioritizes a small group of civilian federal firefighters, giving them preference for firefighting positions in any municipality that is hiring.

The Department of Labor is in opposition to this bill, and I'd quickly like to quote from their testimony: "This bill directs the Department to create and maintain a database of displaced civilian federal firefighters, but it does not identify how the Department is to collect that information. There are existing tools already to serve this function. The Department administers the Maine JobLink, a free public, available online system where employers including municipal fire departments can post job openings and job seekers can create profiles and apply directly. Displaced federal civilian firefighters are fully eligible to use this platform and it is already integrated with the workforce services we provide through our Bureau of Employment Services. We believe this existing tool meets the goals required in the bill, without requiring new legislation. LD 1105 would establish a new database that the Department would be charged with maintaining for a minimum of four years. While the intent is commendable, setting up and maintaining a secure, accurate and functional system, although that timespan could require dedicated staffing and funding that are currently not available."

The Maine Municipal Association testified in opposition. The Association recognizes that "the bill does not require a Fire Chief to offer a job to a displaced firefighter who does not meet all local requirements, it does elevate those candidates above all others and ignores equal important attributes. From a municipal perspective, the 'good standing' provision under Section 2 of the bill could have unintended consequences by putting a damper on department morale, derailing succession planning efforts and devaluing the importance of an individual's understanding of the community being served. It could become a public relations nightmare if Chiefs are required to hire a civilian federal firefighter, despite another firefighter's seniority, career advancement plans or years of volunteer service." Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Kittery, Representative Mathieson.

Representative **MATHIESON**: Thank you, Mr. Speaker. This Amendment as presented removes the provision of the bill that requires the municipality when filling an open position for a firefighter to give the priority consideration. This is only a database for the Department of Labor to keep.

Basically, this came to me from the Portsmouth Naval Shipyard Firefighters Local Association. These are very highly qualified civilian firefighters that are concerned that if their installation closes, that they are members of the municipality, have grown up with the municipality, are volunteering in the municipality and want to remain in the municipality. So, this bill does not tie the hands of the municipal Fire Chiefs. My Fire Chief was involved in the discussions and really wants to make sure that they keep these highly qualified firefighters that are nationally certified firefighters and emergency medical technicians, paramedic drivers, hazmat technicians. We heard

from municipalities that they are having real difficulties finding firefighters, so, this would only be enacted if there was a closure or an installation reduction. So, I hope that you will support these hardworking firefighters. Thank you very much.

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

Representative **SOBOLESKI**: Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in opposition to LD 1105 as Amended. While the intent behind this legislation is commendable; seeking to assist displaced civilian firefighters; it presents significant legal, administrative and economic concerns that must be addressed.

First and foremost, this bill creates unnecessary bureaucracy by requiring the Department of Labor to establish and maintain a database of displaced civilian federal firefighters. While workforce transition assistance is important, Maine already has existing tools such as the Maine JobLink, which allow displaced workers, including firefighters, to seek employment opportunities. Creating a separate database duplicates efforts and administrative cost and does not guarantee employment for those that are listed.

I'm not going to go on with that, I'd just like to say that the Department did come in, they testified that this is redundant, we don't need to do it. Any Fire Chief can put onto their website JobLink that they're looking for a firefighter, and any firefighter looking for a job can go onto that website and say they are available. It's redundant and it's not necessary. Thank you.

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

Representative **ROEDER**: Thank you, Mr. Speaker. Mr. Speaker, just want to reiterate a point that the Good Representative from Kittery made. This is just a database now; the priority language has been stripped in the Amendment.

Also, to the point about JobLink; I think we might have missed a memo there, because I just did a search for 'firefighter' and one result came up in 29 pages. I know that my home fire department is always hiring; I know that they have insane numbers of vacancies at any given time. I just think that having a database at the Department of Labor; which could be as simple as a password-protected Excel spreadsheet; isn't going to be that big of a deal. And as of this point right now, it is purely hypothetical. The folks that brought the bill to us, that brought the bill to the Good Representative from Kittery, were speaking on a hypothetical. They want to stay in their communities and that was part of the reason that they wanted to see this go forward. Thank you.

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

ROLL CALL NO. 264

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Daigle, Drinkwater, Ducharme, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lanigan, Lavigne, Lee, Lemelin, Libby, Mason, McIntyre, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - Adams, Archer, Cluchey, Cray, Eaton, Eder, Griffin, Hall, Lyman, Underwood, Wadsworth.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-363)** 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-363)** and sent for concurrence.

Majority Report of the Committee on **LABOR** reporting **Ought Not to Pass** on Bill "An Act to Make Changes to the Paid Family and Medical Leave Benefits Program"

(H.P. 868) (L.D. 1333)

Signed:

Senators:

TIPPING of Penobscot

RAFFERTY of York

Representatives:

ROEDER of Bangor

ARCHER of Saco

BECK of South Portland

GEIGER of Rockland

LIBBY of Auburn

MACIAS of Topsham

SKOLD of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-361)** on same Bill.

Signed:

Senator:

BRADSTREET of Kennebec

Representatives:

COLLINS of Sidney

DRINKWATER of Milford

SOBOLESKI of Phillips

READ.

Representative ROEDER of Bangor moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

Representative **POIRIER**: Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, after working with constituents, small businesses and employees and other stakeholders, it became very clear that the Paid Family Leave Program needed some changes. LD 1333 makes some clear, sensible changes that promote fairness and the sustainability of the program.

Just to name a few of those changes: It includes the requirement that a person actually work and be employed with that employer for 120 days before they can take the leave; this is extremely important and ensures that the employee takes this leave simultaneously with federal leave, which protects businesses. It requires the employee to notify their employer within five days of taking the leave; which is also very important to somebody trying to maintain a healthy business. It changes penalties imposed on employers to discretionary, which aligns with penalties that apply to employees.

Mr. Speaker, this bill will help ensure that there are proper guardrails on this program. Without these guardrails, we put businesses at risk and the program itself just won't sustain. Please join me and oppose the pending motion.

The SPEAKER: The Chair recognizes the Representative from Greene, Representative Wood.

Representative **WOOD**: Mr. Speaker, may I ask a question?

The SPEAKER: The Member may proceed.

Representative **WOOD**: So, Mr. Speaker, what do you say to the people in the State of Maine that don't want this, that feel that this is being shoved down their throat and they're paying in for something that they don't want, they're never going to use and they feel like they're being ripped off. What do you say to them?

The SPEAKER: The Representative from Greene, Representative Wood, has posed a question through the Chair to any Member who wishes to answer. The Chair recognizes the Representative from Bridgton, Representative Cimino.

Representative **CIMINO**: I'd like to answer that. What you tell them is, thank the Democrats.

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

Representative **ROEDER**: You're welcome. This bill in particular; and I want to thank my colleagues from the other side of the aisle on the Committee, they did put a lot of work into their Amendments. I have some concerns still about their Amendments, however. The changes to the undue hardship provision and collective bargaining in particular.

As the Amendment states on this particular bill, undue hardship has been expanded. Expanded so that an employer could say that anything was undue hardship. Also, that undue hardship, if an employee's request is denied because of that expanded undue hardship or any undue hardship, it is not appealable to the Department of Labor. That's a big red flag for me.

Also, this strips unions of the right to bargain with that premium. I also want to talk a little bit about that 120 days. This isn't about someone getting something for being employed at a specific employer. If I get life insurance, that's about me. I am working 120 days at an employer if I want to keep my position, but if I earn paid leave, if I worked at a company for 20 years and I quit and go to another company, I should be able to use the paid leave that I earned over that 20 years. If I get hit by a car on day two of my new job, am I supposed to just go without pay? It is portable for the individual. Thank you.

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

Representative **GEIGER**: Thank you, Mr. Speaker. I would answer my colleague across the aisle about what we would say, and I would say that we are a very optimistic species and we always think that things aren't going to happen to us. But those of us that have had things happen to us have been grateful when there has been family that could take care of us, when people stepped up, when we didn't lose our home due to a lack of income.

So, I think that while we want to believe that none of this will apply to us, most people will age, if they're lucky. Most people will have to undergo surgery at some point. Many women will have children. And at the moment, in Maine, most Maine women who are employed are back to work 10 days after they've given birth. And the result of that is that they haven't had a chance to physically recover when they go back to work, they haven't had a chance to bond with that baby and instead are feeling ill and exhausted and working all day and coming home to a crying baby. We as a Body have talked many times over our concerns about the high numbers of children we see at risk of physical abuse, emotional abuse, physical neglect and the high numbers of children in foster care. It starts right there, Mr. Speaker.

Yes, we're optimistic, but the reality is, most of us will age, most of us will have moments of sickness and most of us will be grateful when a relative can take time off to care for us. Thank you.

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

Representative **SOBOLESKI**: Thank you, Mr. Speaker, Ladies and Gentlemen. I rise in support; strong support of LD 1333. This legislation is a necessary step towards ensuring that Maine's paid family leave system is sustainable, equitable and responsive to the needs of both workers and employers.

LD 1333 introduces critical reforms to Maine's Paid Family and Medical Leave benefits program, addressing concerns about funding stability, employer flexibility and workforce participation. While Paid Family Medical Leave is an essential benefit, it must be structured in a way that does not overburden businesses or create unintended economic consequences. This bill ensures that the program remains fiscally responsible, viable, while continuing to provide necessary support for Maine's workforce.

The Amendment to LD 1333 introduces several important modifications that enhance the program's fairness and efficiency.

Eligibility requirements: Employees must be employed for 120 days before becoming eligible for paid leave, ensuring that benefits are reserved for long-term employees. We just heard about it being a portable program. Well, how would you like it if you were an employer, you hired someone or a couple people into very important positions you needed to do your business every day and a day later they walk out for 12 weeks; 'I'm going on leave.' The U.S. Department of Labor has estimated that based on our demographics and our incomes, that between 26 and 28,000 people are going to take advantage of this program as soon as its implemented. How many people are going to say, 'I've paid into this for 15 months, I'm taking it.' Those are things that just don't get talked about that often.

Self-employed individuals: The definition of 'self-employed individuals' now applies only to employers with fewer than 15 employees, preventing unnecessary burdens on small businesses.

Intermittent leave oversight: Employers can now request program administrator review for intermittent leave schedules to prevent abuse.

Collective bargaining adjustments: The same delay of implementation that applies to public employers now extends to private employers with collective bargaining agreements.

Financial safeguards: Employees must use any available unpaid leave before accessing paid leave benefits, ensuring responsible use of the program.

Administrative efficiency: Employers will receive five days' notice before the employee's leave is approved, allowing for better workforce planning.

Employer flexibility: Businesses can now correct mistakes in employee tax contributions for up to three months, reducing administrative penalties.

Fairness in benefit distribution: Employees cannot receive more than 100% of their wages while on paid leave, preventing financial exploitation of the system.

One of the most significant improvements to LD 1333 is its consideration of small business, which are the backbone of Maine's economy. Under the current system, many small businesses struggle to absorb the cost associated with mandatory paid leave contributions. LD 1333 adjusts employer obligations, ensuring that businesses can continue to operate without excessive financial strains. By making these changes, we protect job creation and prevent workforce reductions.

The Representative from Bangor just told us about other states that have this program on a voluntary basis and the participation rate. One state, I believe, and correct me if I'm wrong, was said that it was zero participation on voluntary. Another state, one percent. Another state, three percent. That pretty much says exactly what making this program mandatory is all about; they didn't want it. The employees and employers did not want this collectively. Yet we're forcing it on our businesses and on our people.

I had a lady that called me a couple; three weeks ago. She said, 'I'm retiring January 1st of '26. I have to pay into this program, and I'm never going to get any benefits for it.' I had nothing to tell her. There was nothing that I could say to her that would satisfy that. This is being forced on the people of our State. It's an unnecessary hardship, it's a mandate and it's just; it shouldn't be happening. It should be a voluntary program. So, please join me in supporting LD 1333. Thank you.

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

ROLL CALL NO. 265

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Chapman, Cimino, Collamore, Collins, Cooper, Daigle, Drinkwater, Ducharme, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, Libby, Mason, McIntyre, Mingo,

Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - Adams, Archer, Caruso, Cluchey, Cray, Eaton, Eder, Griffin, Hall, Lanigan, Lyman, Underwood, Wadsworth. Yes, 75; No, 63; Absent, 13; Vacant, 0; Excused, 0.

75 having voted in the affirmative and 63 voted in the negative, with 13 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-364)** on Bill "An Act to Decrease the Retirement Contributions Required for Teachers and State Employees" (H.P. 1065) (L.D. 1611)

Signed:

Senators:

TIPPING of Penobscot

RAFFERTY of York

Representatives:

ROEDER of Bangor

ARCHER of Saco

BECK of South Portland

GEIGER of Rockland

MACIAS of Topsham

SKOLD of Portland

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

Signed:

Senator:

BRADSTREET of Kennebec

Representatives:

COLLINS of Sidney

DRINKWATER of Milford

SOBOLESKI of Phillips

READ.

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

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

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

The SPEAKER: The Chair recognizes the Representative from Milford, Representative Drinkwater.

Representative **DRINKWATER**: Thank you, Mr. Speaker. Mr. Speaker, the Maine School Superintendents Association testified in opposition to LD 1611, and here's their testimony. In fact, side note here, Mr. Speaker, this bill is a very unusual bill, even the MEA testified that they've never seen a bill like this one. Maine School Superintendents testified it's important to recognize that schools are not private employers and thus operate under a different system than Social Security. Most school funding comes from the State. While local schools pay the 4.47% normal contribution into MainePERS, the State also pays an additional 14.51% share on top of that to pay unfunded liabilities. MainePERS testified that by decreasing the amount paid through member contribution does not decrease the total amount required to fund the benefits, but instead transfers that obligation to the employer.

LD 1611 will increase the employer cost paid by the State as well as the normal cost paid by local school districts. LD 1611 has a Fiscal Note of \$5.5 million for '27-'28 and a Fiscal Note of \$11.2 million for '28-'29. Mr. Speaker, let's stop passing these unfunded mandates and have the taxpayers pay for it through property taxes. Thank you.

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

Representative **ROEDER**: Thank you. And like my colleague from Milford, I will be as brief as possible.

This particular bill is correcting something that can cost a teacher about \$20,000 over the course of a career. Under current law, Maine teachers and State employees pay 7.65% of their salary towards Maine Public Employee Retirement System. Local school districts contribute at a rate of 4.47% while the State government contributes 4.84%. LD 1611 would reduce the teacher and State employee retirement contribution from 7.65% to 6.2%, creating parity between public servants and private sector workers.

I will say that there is an Amendment added to this, and the Amendment says that the decrease will begin July 1, 2027, and reduce from that 7.65% to 6.2% over the course of several years and arrive at 6.2% on July 1st of 2032. So, it's a very, very gradual rollout. Thank you.

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

ROLL CALL NO. 266

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Daigle, Drinkwater, Ducharme, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lemelin, Libby, Mason, McIntyre, Mingo, Morris, Nutting, Olsen, Parry, Paul, Poirier, Pomerleau, Quint, Rudnicki, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - Adams, Archer, Cluchey, Cray, Eaton, Eder, Griffin, Hall, Lanigan, Lavigne, Lyman, Perkins, Underwood, Wadsworth.

Yes, 75; No, 62; Absent, 14; Vacant, 0; Excused, 0.

75 having voted in the affirmative and 62 voted in the negative, with 14 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-364)** 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-364)** and sent for concurrence.

Majority Report of the Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-352)** on Bill "An Act to Require Sexual Harassment Prevention Training for Restaurant Employees"

(H.P. 1012) (L.D. 1554)

Signed:

Senators:

TIPPING of Penobscot
RAFFERTY of York

Representatives:

ROEDER of Bangor
ARCHER of Saco
BECK of South Portland
GEIGER of Rockland
MACIAS of Topsham
SKOLD of Portland

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

Signed:

Senator:

BRADSTREET of Kennebec

Representatives:

COLLINS of Sidney
DRINKWATER of Milford
SOBOLESKI of Phillips

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-352)** 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-352)** and sent for concurrence.

Majority Report of the Committee on **MARINE RESOURCES** reporting **Ought Not to Pass** on Bill "An Act to Establish a Senior Retiree Lobster License"

(H.P. 537) (L.D. 851)

Signed:

Senators:

TEPLER of Sagadahoc
MOORE of Washington
RENY of Lincoln

Representatives:

HEPLER of Woolwich
EATON of Deer Isle
GIFFORD of Lincoln
GOLEK of Harpswell
RIELLY of Westbrook
SIMMONS of Waldoboro
STROUT of Harrington
THORNE of Carmel
WOOD of Norway

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

Signed:

Representative:
FARRIN of Jefferson

READ.

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

Majority Report of the Committee on **MARINE RESOURCES** reporting **Ought Not to Pass** on Bill "An Act Regarding Lobster Measurement"

(H.P. 1201) (L.D. 1790)

Signed:

Senators:

TEPLER of Sagadahoc
MOORE of Washington
RENY of Lincoln

Representatives:

HEPLER of Woolwich
FARRIN of Jefferson
RIELLY of Westbrook
STROUT of Harrington

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

Signed:

Representatives:

EATON of Deer Isle
GIFFORD of Lincoln
SIMMONS of Waldoboro
THORNE of Carmel
WOOD of Norway

READ.

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

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on Bill "An Act to Establish a Special Committee to Review Routine Technical Rules"

(H.P. 895) (L.D. 1372)

Signed:

Senators:

BALDACCI of Penobscot
BEEBE-CENTER of Knox

Representatives:

SALISBURY of Westbrook
COPELAND of Saco
FARRIN of Jefferson
MATLACK of St. George
ROLLINS of Augusta

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-360)** on same Bill.

Signed:

Senator:

MARTIN of Oxford

Representatives:

GREENWOOD of Wales
POMERLEAU of Standish
TUELL of East Machias
UNDERWOOD of Presque Isle

READ.

Representative SALISBURY of Westbrook moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

Representative **SOBOLESKI**: Mr. Speaker, Ladies and Gentlemen, I rise to advocate for LD 1372, a bill I authored to reinstate our Legislature's critical oversight over administrative rulemaking.

I believe that Mainers must be the ones to decide the course of our State's policies, and not our agencies acting unilaterally under delegated authority. Under the current statutory framework, guided by the Administrative Procedures Act and Joint Rule 308.2, our State agencies are often empowered to issue what are termed 'routine technical rules' without full legislative debate. In practice, however, this classification has enabled agencies to enact measures that, in reality, are major substantive.

I wrote this bill because I have seen too many instances where significant policy shifts are masked as routine technical adjustments, thereby evading the rigorous decisions and scrutiny that substantive matters merit. A recent example is the electronic vehicle mandate proposed by the Department of Environmental Protection. Though introduced as a technical update, the mandate amounted to far-reaching regulatory changes as critical implications for Maine's economic landscape and the well-being of our citizens. The absence of proper legislative review in such cases undermines the principles that it is ultimately the peoples' elected representatives who should decide what Maine will or will not do. That instance with the EV mandates had a regulatory petition submitted to change a routine technical rule. It was so egregious that my bill to fix the rule was co-sponsored by not only the Speaker of the House, but by the President of the Senate as well. I believe it was the only bill in the 131st Legislature; Republican bill; co-sponsored by both the Speaker and the President. And it went on to a unanimous pass here on the floor and in the Other Body, and we changed that from a routine technical rule to major substantive, because it was warranted.

LD 1372 establishes a Special Committee on Regulatory Review, encompassed equally by Members from both the Other Body and House and balanced by party representation. This Committee is entrusted with the duty to review and, if necessary, reclassify rules that impose consequential impacts on our State. It will ensure that every rule, even those labeled as routine, goes under a full, deliberative process that our democratic system demands. Furthermore, this bill mandates that by February 1, 2026, the Committee advance proposed legislation to

permanently incorporate this enhanced oversight process into our statutory framework. This measure is vital to preventing agencies from using technical classifications as a back door to implement major policy decisions and fiscal commitments without the informed consent of this Legislature.

In drafting LD 1372, my commitment has been to protect the rights of Mainers, to shape the policies that affect their lives and ensure that all significant regulatory actions receive the scrutiny they deserve. I am convinced that by reasserting our role in this process, we not only safeguard fiscal responsibility and accountability, but also preserve the integrity of our democratic institutions. I respectfully urge my colleagues to support this bill and reaffirm that decision by impacting Maine's future must be made by our elected representatives, guided by a transparent and deliberate legislative process.

Mr. Speaker, rules and laws are made in this Chamber. They're ours. They don't belong to an agency. Routine technical rules are just that, they're routine in substance. There's also another classification of major substantive. Any major substantive rule needs; as you know, Sir; needs review by this Legislature. But we've gone past that point. We give routine technical rulemaking authority, and the agency believes that the rule that they make is a routine technical rule, not that they need to stay within the parameters of what a routine technical rule is. That's why this Committee is necessary.

I did some research; actually, a lot of research. We found that the State of Maine is the only State in the nation that handles rulemaking the way we do. Louisiana was the next closest. I went to the Federalist Society and asked them to do research as well; Maine Policy to do research as well. The best we could come up with was this right here. How we could put a process which mirrors other states that our routine technical rules do get a look at by a bipartisan committee to determine if they do fall within the right parameters of routine and they're not crossing the line into major substantive. That's why this bill is important. It gives lawmaking back to us in this room and not to an agency to impose their will. Thank you.

The SPEAKER: The Chair recognizes the Representative from East Machias, Representative Tuell.

Representative **TUELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, I rise to oppose the pending motion and in support of LD 1372, which presents a targeted, responsible step forward toward increased transparency, accountability and efficiency in our State government by reducing red tape that is stifling innovation and creativity.

The intent behind LD 1372 is clear; to ensure that even rules deemed routine, those that often fly under the radar, receive the thoughtful scrutiny they deserve. These rules may be technical in nature, but their effects on our constituents and the function in government are very real. This bill creates a balanced bipartisan committee, equally composed of Members from both parties and both Chambers, to examine routine technical rules for necessity, efficiency and public benefit. It is modeled on our highly successful Government Oversight Committee and would operate in the same ethical standard that GOC does. LD 1372 does so without requiring new bureaucracy, additional agencies or expensive mandates. In fact, it was the intent of the bill's supporters that this be implemented within existing legislative resources. That is a fiscally responsible approach, and I believe we owe it to our constituents to use what we already have to its fullest potential.

Now, it's true that this session, we've seen other bills attempting to reform or reduce red tape in State rulemaking. Each of them had merit, a lot of merit. But LD 1372 stands apart

because it offers the most practical and effective path forward. It's not overreaching; it's not a blanket repeal of rulemaking authority. Rather, it introduces measured legislative oversight, ensuring that routine rules undergo proper vetting without bogging down agencies or delaying needed regulations. Moreover, this bill encourages collaboration between branches of government by requiring an annual report and offering recommendations for improved coordination among the Legislative, Executive and Judicial Branches. LD 1372 promotes dialogue and modernization rather than top-down, one-size-fits-all approaches.

We all want a government that is leaner, smarter and more responsive to the people of Maine. LD 1372 helps us get there by respecting existing structures, working within our means and improving how we handle the rules that shape daily life for Maine citizens and businesses, whether they're dragging for scallops in Cobscook Bay or ensuring that our health care system protects the most vulnerable among us. I respectfully urge you to support LD 1372 and reject the pending motion. Thank you, Mr. Speaker.

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

ROLL CALL NO. 267

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Daigle, Drinkwater, Ducharme, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, Libby, Mason, McIntyre, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - Adams, Archer, Cluchey, Cray, Eaton, Eder, Griffin, Hall, Lanigan, Lyman, Underwood, Wadsworth.

Yes, 75; No, 64; Absent, 12; Vacant, 0; Excused, 0.

75 having voted in the affirmative and 64 voted in the negative, with 12 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **STATE AND LOCAL GOVERNMENT** reporting **Ought Not to Pass** on RESOLUTION, Proposing an Amendment to the Constitution of Maine to Require a Supermajority of the Legislature to Approve Raising Taxes

(H.P. 1011) (L.D. 1553)

Signed:

Senators:

BALDACCI of Penobscot
BEEBE-CENTER of Knox

Representatives:

SALISBURY of Westbrook
COPELAND of Saco
FARRIN of Jefferson
MATLACK of St. George
ROLLINS of Augusta

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-358)** on same RESOLUTION.

Signed:

Senator:

MARTIN of Oxford

Representatives:

ADAMS of Lebanon
GREENWOOD of Wales
POMERLEAU of Standish
TUELL of East Machias
UNDERWOOD of Presque Isle

READ.

Representative SALISBURY of Westbrook moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

The SPEAKER: The Chair recognizes the Representative from East Machias, Representative Tuell.

Representative **TUELL**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, today I rise not just in opposition to the pending motion, but in defense of every Maine taxpayer who is under siege. The people who fuel our economy, raise our children, care for our elderly and try, desperately, to hold onto what they've earned or had passed down for generations deserve more than the revolving door of tax increases and rudderless spending that have defined too much of our recent legislative history.

This Resolution is not radical. It is not extreme. It is common sense. It simply states that if the government wants more of your money, it must either go to the people directly or pass a two-thirds vote in both Chambers of this Legislature. If that bar is too high, maybe the tax hike wasn't justified to begin with, and maybe, as we've proved with our bipartisan vote on the supplemental budget, we can actually find solutions that both sides of the aisle can respect.

Maine families are tired of promises followed by burdens. They're tired of temporary fixes that turn permanent. They're tired of being told we have no choice but to raise taxes. Because we always have a choice, and today, we have the choice to stop the bleeding. I stand here with some humility, though, because I must admit something. Ten years ago, when I was new to this Body, a similar proposal came before us during a budget negotiation. I rejected it out of hand solely on rumor and innuendo. I told myself the process mattered more than the

principle. That was vanity, that was inexperience and it was a mistake. So, today, I ask my colleagues here today, how many of you, if you had that moment again, would make the same choice? How many of you, knowing what the last decade has looked like for Maine taxpayers, would pass up the opportunity to put this question in the hands of the people? Let's be clear: this Resolution doesn't block every tax increase. It simply requires that if we're going to take more from the people, we do it with overwhelming legislative support or we trust them to decide for themselves. That's not obstruction; that's trust.

LD 1553 is a pledge to the people of Maine that we have heard them. Whether they're out digging clams, a fourth-generation woodsman, a young family hoping to make their community a better place or an older Mainer just trying to get by on a fixed income, this bill is a vow that we will protect them, that we are finally willing to treat their money with the seriousness and respect it deserves. I urge this Body to reject the pending motion and pass LD 1553 and give Maine citizens a chance to speak with their vote, not just their wallet. Thank you, Mr. Speaker.

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

Representative **HENDERSON**: Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This bill is pretty simple in nature. It would just require a two-thirds vote of the Legislature in order to raise taxes.

Maine's tax policies and fiscal health are at a crucial juncture. According to the Maine Revenue Service, our State relies heavily on income and on sales taxes, which together comprise approximately 85% of the General Fund revenue. However, Maine's tax system is ranked as one of the least competitive in New England, placing 44th out of 50 states for overall tax climate, according to the Tax Foundation's 2023 State Business Tax Climate Index. Furthermore, Maine has experienced fiscal volatility in recent years, and we're experiencing that right now. The COVID-19 pandemic and the destructive policies that came with it has led to significant revenue shortfalls, prompting a myriad of proposed tax increases that have been met with questions and real concerns. This cycle of *ad hoc* tax hikes undermines predictability and threatens faith in the legislative government.

A handful of the proposed tax increases we've seen just this year is a 30% tobacco tax increase, a cannabis tax increase to the tune of 40%, a paint tax, streaming service tax. So, Hulu, Netflix, Peacock, Max, Prime, all of which I may have subscriptions to each one of those, that's a five times tax increase for me, one for every streaming platform. A new pension tax; that one, I thought was rich. The one that really shocked me was that we even had to consider an ambulance tax. So, if your child falls off his bike and bangs himself up and has to be brought to the hospital, you're going to be taxed. If your mother, who has some type of terminal disease, has to be transported to the hospital, she's going to be taxed. If you get into a car accident or you have cardiac issues or you have an asthma attack and have to be transported to the hospital, the State of Maine is going to tax you. Another one of the tax increases we've considered is the prescription tax. So, let's hope you get out of the hospital and all that you have to do is pick up a prescription. By golly, we're going to tax that, too.

While some of those taxes I just mentioned have been voted down, currently, tax increases in Maine can be enacted by a simple majority vote. This has led to frequent and recent partisan battles and unpredictable tax policies. Implementing a supermajority requirement in our State Constitution would serve as a safeguard against hasty or politicized tax hikes that could

burden Maine families, could burden our blue-collar workers, our business owners and our businesses. Additionally, this Amendment would align Maine with the growing national trend toward fiscal prudence. Currently, 17 states have some form of supermajority requirement for tax increases, recognizing the importance of fiscal discipline. I will add that one of those states is Massachusetts, and while I don't typically suggest that we model our laws after Massachusetts, this is one I actually think that they got right.

Maine faces ongoing fiscal challenges, due in no small part to the slew of recent budgets that have been passed by the majority party. Our tax policies should reflect a commitment to stability, economic vitality and taxpayer accountability. Supporting this measure sends a strong bipartisan message to Maine taxpayers that the legislators who were elected to do the work of the people are holding ourselves to the highest standards, especially when we're spending their money. The State budget is the Maine peoples' money. It does not belong to the Democratic Party; it does not belong to the Republican Party. It is the responsibility of the Legislature as a whole to pass a budget. This bill would ensure that regardless of who is in majority, both parties would need significant buy-in and frankly, legislators shouldn't be able to bring more of taxpayer money into State coffers without a two-thirds of the peoples' Representatives weighing in.

What do we want, Mr. Speaker, for the 132nd Legislature? What do we want for a tax burden in Maine? Do we want to build on collaboration and accountability, or do we want just more of the same? Do we want more overspending, passing unbalanced budgets and increasing taxes on some of the highest taxed people in the nation? Or do we want to help shift the culture of the one-party budgets and pass this Constitutional Amendment? Please vote against the pending motion.

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

Representative **ROLLINS**: Thank you, Mr. Speaker. I rise in favor of this bill and to do some fact checking.

I sat here most of the day and one thing that occurs and reoccurs and reoccurs, and it's occurred before today, is the opposition on the other side keep quoting Maine as ranking fourth in taxes. According to the Tax Foundation 2025, Maine ranks; and if you give me a minute; corporate taxes, we rank 40th, Mr. Speaker. Individual income taxes, we rank 22nd. Sales taxes, we rank eighth, and overall, we rank 29th. So, fact checking should come into play if we're constantly going to be berated with numbers that aren't substantiated. Thank you.

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

ROLL CALL NO. 268

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Campbell, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Daigle, Drinkwater, Ducharme, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, Libby, Mason, McIntyre, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S, Woodsome.

ABSENT - Adams, Archer, Cluchey, Cray, Eaton, Eder, Griffin, Hall, Lanigan, Lyman, Underwood, Wadsworth.

Yes, 75; No, 64; Absent, 12; Vacant, 0; Excused, 0.

75 having voted in the affirmative and 64 voted in the negative, with 12 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Change the State's Method of Allocating Electoral Votes from a Congressional District Method to a Winner-take-all Method Contingent on the State of Nebraska Changing its Method of Allocating Electoral Votes"

(H.P. 879) (L.D. 1356)

Signed:

Senators:

HICKMAN of Kennebec
DUSON of Cumberland
TIMBERLAKE of Androscoggin

Representatives:

SUPICA of Bangor
BOYER of Poland
CHAPMAN of Auburn
FREDERICKS of Sanford
FROST of Belgrade
HYMES of Waldo

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-329)** on same Bill.

Signed:

Representatives:

FAIRCLOTH of Bangor
GRAHAM of North Yarmouth
MALON of Biddeford
TERRY of Gorham

READ.

Representative SUPICA of Bangor moved that the Bill and all accompanying papers be **INDEFINITELY POSTPONED**.

Subsequently, the same Representative **WITHDREW** her motion to **INDEFINITELY POSTPONE** the Bill and all accompanying papers.

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

Representative **SUPICA**: My sincere apology to the entire Body on that one. Just checking to see if you were awake. I move to Table.

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

Five Members of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** report in Report "A" **Ought to Pass as Amended by Committee Amendment "A" (H-330)** on Bill "An Act to Decriminalize Personal Possession of Therapeutic Amounts of Psilocybin for Adults"

(H.P. 663) (L.D. 1034)

Signed:

Senator:

CURRY of Waldo

Representatives:

HASENFUS of Readfield

BUNKER of Farmington

LAJOIE of Lewiston

PERKINS of Dover-Foxcroft

Four Members of the same Committee report in Report "B" **Ought to Pass** on same Bill.

Signed:

Senator:

BEEBE-CENTER of Knox

Representatives:

ABDI of Lewiston

LOOKNER of Portland

MILLIKEN of Blue Hill

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

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

ARDELL of Monticello

MCINTYRE of Lowell

NUTTING of Oakland

READ.

Representative HASENFUS of Readfield moved that the House **ACCEPT** Report "B" **Ought to Pass**.

Representative NUTTING of Oakland **REQUESTED** a roll call on the motion to **ACCEPT** Report "B" **Ought to Pass**.

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 Lowell, Representative McIntyre.

Representative **McINTYRE**: Thank you, Mr. Speaker. I'm going to be incredibly brief.

Last week on this floor, the Good Gentleman from South Portland, I believe, reminded all of us in this room that those that fail to learn from history are destined to repeat it. So, I'm going to offer to you: November 2020, Portland, Oregon, decriminalized all street-level drugs under Measure 110. What's going on in the City of Portland, Oregon, right now? They've declared an emergency.

Folks, I moved here to this State for a reason. I want this to be my forever home. Please, please, do not let that happen here. If we continue down this path, it is not going to be good for the future of our State. Thank you.

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

Representative **LOOKNER**: Thank you, Mr. Speaker. I rise in support of the motion and stand here before you because this is a matter of compassion, common sense and justice. We have before us an opportunity to alleviate profound suffering, particularly among our veterans who have borne the invisible wounds of war, while correcting an unjust and irrational law that persists only because of outdated stigma.

I'd like to read you the following testimony received in support of this legislation that came to us in Committee, and I've anonymized the name: "My name is CC. I'm a United States Air Force veteran. I'm a mother and a grandmother raising a grandchild with my husband in central Maine. I have a history of complex PTSD from a dysfunctional family, military sexual trauma and, most recently, the loss of my only child. Psychedelic therapy saved my life last year. I was dealing with severe depression and anxiety along with extreme PTSD symptoms which were not responding to conventional therapy or medications. In my desperation, I sought help through the veteran community and was given the lifesaving benefits of psilocybin in two treatments. I ask you to please pass this legislation, so people desperate for healing can do so without becoming criminals."

Needless to say, Mr. Speaker, our veterans are struggling. Many return home from service only to battle the relentless symptoms of PTSD and depression, conditions that often resist conventional treatments. These brave service members are prescribed medications that oftentimes fail them, leading to broken families, addiction and tragically, in too many cases, suicide. But there is hope. Psilocybin is a naturally occurring compound found in mushrooms that have grown in Maine's forests for millennia, and they have recently been designated by the FDA as a breakthrough therapy for PTSD and treatment-resistant depression. Clinical trials at institutions like John Hopkins, NYU and others have shown remarkable results, sometimes with just a single session providing relief that lasts for months or even years. Yet today, if a veteran suffering from PTSD seeks out this potentially lifesaving treatment, they risk being branded a criminal. That, Mr. Speaker, is unconscionable.

This bill would simply decriminalize possession of psilocybin for adults 21 years of age and older. It does not legalize sales; it does not create recreational markets. It simply says that if an adult chooses to possess this substance for personal use, they should not face arrest, jail time nor a criminal record. It's also true that this law is rarely enforced as it is, but even if one person is unnecessarily serving time for the Class D crime that simple possession currently entails, our prisons and jails in this State are overflowing with people suffering from mental illness and we do not need any more people in our prisons and jails because of the war on drugs.

Meanwhile, the sale of substances far more dangerous than psilocybin are allowed. Alcohol is a drug that fuels violence, destroys families and kills Mainers every day, but is not only legal, it is aggressively marketed. Compare that to psilocybin, which cannot cause a fatal overdose, is not addictive and does not lead to reckless or violent behavior.

Just a response to some of the remarks that I heard earlier. Psilocybin is not a substance that is like a lot of the other drugs that we've heard about. This is a medication, this is a treatment that we're denying people. Consider this: other mushrooms with similar effects grow abundantly in our State and are completely legal. *Amanita muscaria* is a mushroom that can be poisonous or even deadly if misused, and it has been used by indigenous cultures around the world since ancient times. Yet psilocybin, which has been safely used for millennia and has no known lethal dose, remains prohibited.

Some will argue that we need more studies. This Legislature has, in previous Sessions, endorsed bills to study this matter. Unfortunately, these efforts have gone precisely nowhere. Besides, the research is already clear, the science has spoken and many other areas have moved forward with decriminalization and therapeutic access. The result has not been chaos, but healing. We don't need another task force or

committee. We don't need to keep delaying while people suffer. We just need to acknowledge that this is the truth, that this law is doing nothing but harming people who need help.

Again, this is not about encouraging drug use; it's about ending unnecessary suffering. It's about trusting adults to make their own choices about their health and well-being, and most importantly, it's about standing with our veterans, men and women who have given so much for this country and finally giving them access to a treatment that could save their lives. The time for hesitation is over. Let's stop clinging to outdated fears, stop wasting resources on laws that serve no purpose and take this small but meaningful step toward a more just, compassionate and rational drug policy. I urge my colleagues to support this bill. Thank you very much.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Rudnicki.

Representative **RUDNICKI**: Thank you, Mr. Speaker. I'd be remiss if I didn't stand up and say, here we go again. It's another Minority Report moved forward. Granted, it's a minority by one and it's a three division, but if the Minority Report could stand on its own, then it does not need to have political games played just to run the Report that somebody wants. So, once again, Mr. Speaker, we should be running the Majority first and then moving on from there. Thank you.

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

Representative **ANKELES**: Thank you, Mr. Speaker. I rise only to say that I had a constituent reach out to me when this bill was first introduced in the previous Legislature, suffered a great deal from depression and tried everything. Nothing worked until this constituent tried a dose of psilocybin. And I have a hard time looking at this person; who's a very upstanding member of our community; and I have a very hard time looking at this person and seeing a criminal. And I think that for this entire year and before that, we have to ask ourselves in this Body, what is the threshold at which we put one of our fellow Mainers into the criminal justice system. And I look at a bill like this, and I think we shouldn't be putting people like this in the criminal justice system who are treating their mental health. And that's all I wanted to say. I hope it convinces some people.

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

Representative **ARATA**: Thank you, Mr. Speaker and Ladies and Gentlemen of the House. In 2023, an Oregon man was depressed because his friend had committed suicide and so, he tried mushrooms. And two days later, he was on an airplane, and he attempted to crash that airplane. As a pilot, he knew exactly what to do. He was still in the dreamlike state two days later. He almost killed 80 people.

Similarly, last summer, Amber Robson was knifed to death by her boyfriend, who had never been violent before. The police found him with also a knife wound in his own neck, naked, spitting at the officers. He'd never been violent, but he had been using mushrooms and marijuana.

Now, this product, it may have some potential, but we need to; it needs to be studied. It's being studied. Let's give it time to be studied. Let's figure out what appropriate dosages are and concentrations and things of that nature. But right now, we're not ready for this. It could cause more harm than it could help and we're really; we're not actually arresting and prosecuting people for possession of small amount of this product, so, I urge you to vote against this motion. Thank you.

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

Representative **BOYER**: Thank you, Mr. Speaker. Mr. Speaker, I could rail off a bunch of anecdotes about dumb, bad, horrible things that people did while they were using alcohol, but it would take a lot longer and everyone kind of wants to go home today, so, I won't. I'll spare everyone that.

But we heard that this does help veterans with PTSD. There's growing evidence, Mr. Speaker, that folks can rewire their brain; folks struggling with substance abuse disorder. That's a really powerful idea that you could cure addiction like that or really move the progress there with folks struggling with addiction. Terminal patients struggling with their own mortality, when we get to the end and start really thinking about what's next and how your life was. This has shown to bring a lot of ease and comfort to those folks struggling with the end of their lives. There's friends, family, colleagues of ours that microdose for depression, they microdose for headaches. Indeed, last year, we heard this bill came to VLA, and we heard from Joe McKay; who was a 9/11 first responder; New York firefighter; and he had PTSD because he survived, and he had cluster headaches. He tried pills, sprays, nothing really worked. Finally, after he could medically retire, he tried psilocybin and it was the one thing that did help. He told our Committee that he got his life back, Mr. Speaker.

So, I don't know; to the Representative from Brunswick's point; I don't know that we should put someone in jail for 364 days for a handful of mushrooms, Mr. Speaker, I don't think that fits the crime. Our courts are clogged, our jails are full, we shouldn't waste tax dollars and government resources from protecting people from themselves. We own our own bodies, this is just another indication of that. We know it's safer than things like alcohol. And we do need to study it. John Hopkins is studying it, other universities, institutions are studying it. But the issue is, when it does come and when we do get a program like that, it's going to be really, really expensive, because a trip is a day, eight hours, so, you effectively have to hire a therapist for the whole day, some before, the day before, some after. So, that's a lot of money. One hour of therapy is expensive, so, you can imagine a full day. So, we don't want to make this inaccessible to folks of even working class means, and we know insurance won't fund it, we still don't have cannabis, medical cannabis being covered by insurance companies. So, we're a long ways away. I think in the meantime what we can do is take away the threat of a criminal record for folks simply trying to heal. Thank you, Mr. Speaker.

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

ROLL CALL NO. 269

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer D, Boyer M, Brennan, Bridgeo, Chapman, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dodge, Doudera, Faircloth, Farrin, Fredericks, Friedmann, Gattine, Geiger, Gere, Golek, Gramlich, Jackson, Julia, Kessler, Kuhn, Lanigan, Lee, Libby, Lookner, Macias, Malon, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, White J, Yusuf, Mr. Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Bunker, Carlow, Caruso, Cimino, Collamore, Collins, Cooper, Daigle, Dill, Drinkwater, Ducharme, Faulkingham, Flynn, Foley, Foster, Fredette, Frost, Gifford, Graham, Greenwood,

Guerrette, Haggan, Hasenfus, Henderson, Hepler, Hymes, Javner, Lajoie, Lance, Lavigne, Lemelin, Mason, Mastraccio, McIntyre, Mingo, Morris, Nutting, O'Halloran, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Salisbury, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, Webb, White R, Wood P, Wood S, Woodsome, Zager.

ABSENT - Adams, Archer, Campbell, Cluchey, Cray, Eaton, Eder, Griffin, Hall, Lyman, Underwood, Wadsworth.

Yes, 70; No, 69; Absent, 12; Vacant, 0; Excused, 0.

70 having voted in the affirmative and 69 voted in the negative, with 12 being absent, and accordingly Report "B" **Ought to Pass** was **ACCEPTED**.

The Bill was **READ ONCE**.

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

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

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

CONSENT CALENDAR

First Day

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

(H.P. 567) (L.D. 881) Bill "An Act to Establish an Apprentice Insurance Producer License" Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-421)**

(H.P. 784) (L.D. 1179) Bill "An Act to Establish Minimum Safety Standards for the Construction and Use of Temporary Emergency Shelters" Committee on **HOUSING AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-420)**

(H.P. 1042) (L.D. 1584) Bill "An Act to Establish Municipal Cost Components for Unorganized Territory Services to Be Rendered in Fiscal Year 2025-26" (EMERGENCY) Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-424)**

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

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

ENACTORS

Acts

An Act to Establish Lifetime Ferry Passes for Retired Maine State Ferry Service Employees

(S.P. 130) (L.D. 280)
(C. "A" S-193)

An Act to Increase Fees Paid to Registers of Deeds

(S.P. 144) (L.D. 358)
(C. "A" S-192)

An Act to Update the Laws Governing the Licensing of Intermediate Care Facilities for Persons with Intellectual Disabilities

(S.P. 326) (L.D. 768)
(C. "A" S-185)

An Act to Establish a Grant Program to Provide for Statewide and Equitable Access to Experiential Science, Technology, Engineering and Mathematics Competition Programs

(S.P. 337) (L.D. 823)
(C. "A" S-201)

An Act to Amend the Laws Governing the Land for Maine's Future Program and to Authorize the Use of Options to Purchase at Agricultural Value

(S.P. 458) (L.D. 1072)
(C. "A" S-189)

An Act to Amend the Law Regarding the Suspension of Licenses Issued by the Department of Marine Resources for Failure to Comply with Reporting Requirements

(S.P. 549) (L.D. 1319)
(C. "A" S-204)

An Act to Amend Eligibility Criteria Under the Maine Solid Waste Diversion Grant Program

(S.P. 695) (L.D. 1793)
(C. "A" S-190)

An Act to Require Training on Textured Hair for Aestheticians, Barber Hair Stylists, Cosmetologists and Hair Designers

(S.P. 731) (L.D. 1861)
(C. "A" S-191)

An Act to Ensure Public Access to Conservation Land by Providing Protections from Liability to Landowners

(S.P. 761) (L.D. 1953)
(C. "A" S-187)

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.

CONSENT CALENDAR

First Day

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

(S.P. 22) (L.D. 9) Bill "An Act Regarding Campaign Finance Disclosure" Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-219)**

(S.P. 74) (L.D. 138) Bill "An Act to Exempt Airports from Certain State Endangered and Threatened Species Habitat Protections" Committee on **ENVIRONMENT AND NATURAL RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-210)**

(S.P. 158) (L.D. 366) Bill "An Act to Ensure Consistency of Income Tax Deductions for Retired Members of the Uniformed Services" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-212)**

(S.P. 516) (L.D. 1287) Bill "An Act to Support Workforce Development by Establishing the Housing Stability Fund" Committee on **HOUSING AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-208)**

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

There being no objection, the Senate Papers were **PASSED TO BE ENGROSSED as Amended** in concurrence.

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

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **LABOR** reporting **Ought Not to Pass** on Bill "An Act to Amend the Paid Family and Medical Leave Benefits Program to Balance Support of Businesses and Employees"

(H.P. 1147) (L.D. 1712)

Signed:

Senators:

TIPPING of Penobscot
RAFFERTY of York

Representatives:

ROEDER of Bangor
ARCHER of Saco
BECK of South Portland
GEIGER of Rockland
LIBBY of Auburn
MACIAS of Topsham
SKOLD of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-382)** on same Bill.

Signed:

Senator:

BRADSTREET of Kennebec

Representatives:

COLLINS of Sidney
DRINKWATER of Milford
SOBOLESKI of Phillips

READ.

Representative ROEDER of Bangor moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

Representative **LEMELIN**: Point of Order.

The SPEAKER: The Chair would inquire as to the Point of Order.

Representative **LEMELIN**: Everybody didn't vote.

The SPEAKER: The Chair would inquire how the Representative from Chelsea would like to be recorded.

Representative **LEMELIN**: Next time, I would like to have the respect of waiting for me to vote.

The SPEAKER: The Member will defer. How would the Member like to be recorded?

Representative **LEMELIN**: Nay.

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

ROLL CALL NO. 270

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Copeland, Crafts, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Soboleski, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Crockett, Daigle, Drinkwater, Ducharme, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, Libby, Mason, Mastraccio, McIntyre, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Roberts, Rudnicki, Schmersal-Burgess, Simmons, Smith, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S.

ABSENT - Adams, Archer, Campbell, Cluchey, Cray, Eaton, Eder, Griffin, Hall, Julia, Lanigan, Lyman, Underwood, Wadsworth, Woodsome.

Yes, 72; No, 64; Absent, 15; Vacant, 0; Excused, 0.

72 having voted in the affirmative and 64 voted in the negative, with 15 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-389)** on Bill "An Act to Define 'Solitary Confinement' for the Laws Governing Jails and Correctional Facilities"

(H.P. 259) (L.D. 405)

Signed:

Senators:

BEEBE-CENTER of Knox
CURRY of Waldo

Representatives:

HASENFUS of Readfield
ABDI of Lewiston
BUNKER of Farmington
LAJOIE of Lewiston
LOOKNER of Portland
MILLIKEN of Blue Hill

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-390)** on same Bill.

Signed:

Senator:

CYRWAY of Kennebec

Representatives:

ARDELL of Monticello
MCINTYRE of Lowell
NUTTING of Oakland
PERKINS of Dover-Foxcroft

READ.

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

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

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

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

ROLL CALL NO. 271

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Chapman, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Carlow, Caruso, Cimino, Collamore, Collins, Cooper, Daigle, Drinkwater, Ducharme, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, Libby, Mason, McIntyre, Mingo, Morris, Nutting, O'Halloran, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Salisbury, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S.

ABSENT - Adams, Archer, Campbell, Cluchey, Cray, Eaton, Eder, Griffin, Hall, Julia, Lanigan, Lyman, Underwood, Wadsworth, Woodsome.

Yes, 73; No, 63; Absent, 15; Vacant, 0; Excused, 0.

73 having voted in the affirmative and 63 voted in the negative, with 15 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-389)** 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-389)** and sent for concurrence.

Majority Report of the Committee on **LABOR** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-388)** on Bill "An Act to Strengthen Maine's Workforce Through Certified Preapprenticeship Training Programs" (H.P. 736) (L.D. 1117)

Signed:

Senators:

TIPPING of Penobscot

RAFFERTY of York

Representatives:

ROEDER of Bangor

ARCHER of Saco

BECK of South Portland

GEIGER of Rockland

MACIAS of Topsham

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

Signed:

Senator:

BRADSTREET of Kennebec

Representatives:

COLLINS of Sidney

DRINKWATER of Milford

SOBOLESKI of Phillips

READ.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (H-388)** 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-388)** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act to Implement an Interstate Voter Registration Cross-check Program"

(H.P. 940) (L.D. 1431)

Signed:

Senators:

HICKMAN of Kennebec

DUSON of Cumberland

Representatives:

SUPICA of Bangor

FAIRCLOTH of Bangor

FREDERICKS of Sanford

FROST of Belgrade

GRAHAM of North Yarmouth

MALON of Biddeford

TERRY of Gorham

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-386)** on same Bill.

Signed:
Senator:

TIMBERLAKE of Androscoggin

Representatives:

BOYER of Poland

CHAPMAN of Auburn

READ.

Representative SUPICA of Bangor moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

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

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

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

Representative **BAGSHAW**: Thank you, Mr. Speaker, colleagues. How many of you are aware that the private sensitive data collected by the Bureau of Motor Vehicles for all Mainers is being disclosed to private, nonprofit corporations? As elected Representatives of the citizens of Maine, are you willing to protect the privacy of your constituents and vote to stop these unnecessary and unauthorized disclosure? Currently, every 60 days, the Secretary of State is sending all records from the Bureau of Motor Vehicles for every Mainer who has a driver's license or nondriver identification records, including driver's license IDs, the last four digits of Social Security numbers, full birthdates, phone numbers and email addresses to private NGO.

This bipartisan bill balances the need for accurate voter rolls while ensuring the privacy of Mainers is protected. The bill authorizes the Secretary to use multiple tools for list maintenance. Many resources that will provide a better return on an investment. LD 1431 will actually enable the Secretary to access information that could be more useful and less expensive; or free, by Homeland Security as of two weeks ago. It also increases the reporting requirements to the Legislature so that we will have better oversight of the program and progress of voter list maintenance, and, most importantly, this bill protects personal data of our citizens.

I believe that we have a duty to safeguard that sensitive personal information and ensure that it is managed responsibly. Mainers' membership in the Electronic Registration Information Center was initially authorized by funding that was allocated as part of the 2021 Biennial Budget. The Legislature authorized the Secretary to contract with the corporation with periodic sharing of voter registration information. The Legislature did not authorize the Secretary to share the records of every person who has a Maine driver's license. In fact, Title 21-A, Section 161, Subsection 2B, explicitly says that voter registration information may be shared from the voter registration system. There is no language included in Maine law or in the Budget authorization that would allow the Secretary to disclose private sensitive information from the Bureau of Motor Vehicles to private NGO. If the Legislature had intended to transfer all licensing identification records from the Maine BMV, that authorize would have been included, but it was not.

Despite the absence of the authorization by the Legislature, the Secretary signed an agreement to disclose all Bureau of Motor Vehicle records to private nonprofit corporations every 60 days. This disclosure of data is made

even if the Secretary has not requested any reports for list maintenance for a year or more. Disclosure of highly sensitive, federally protected motor vehicle data to third party NGOs is not necessary; not necessary; for list maintenance. The majority of updates to the central voter registration come from requests submitted via online voter registration transactions. No data is to be disclosed to third parties for OVR list maintenance activities.

The Secretary's report also shows the highest percentage of updates or maintenance activities are done through the Bureau of Motor Vehicles. Like when an individual changes their address on their driver's license and is offered the option of updating their address for voter registration. In 2024, 7,857 changes to the existing voter registration records were initiated at the BMV. This is secure, direct, inter-agency data exchange that is lawful, efficient, inexpensive and protects the citizen's private information. Most importantly, this maintenance activity does not require disclosure of any sensitive data to a third party.

The potential benefits for Maine votes received from the membership in 2024 were two reports that may have led to the removal of up to 2,000 records. One was the report of some people who registered twice. This potential duplicate query is something that anybody with basic Microsoft Excel skills could produce. The Secretary did not disclose how many of the 1,191 duplicate records were reported by the NGO and how many were identified through routine maintenance activities by municipalities or the Secretary. The other report was a list of individuals who were registered in Maine but may have died out of state. Again, the specific number of deceased voters identified in the report was not disclosed by the Secretary. Instead, the numbers were included with all deaths identified through all methods. Thousands of taxpayers' dollars spent, and millions of sensitive private records transferred to private nonprofit corporations with no measure of return on investment. In fact, much more reliable and up-to-date information is available to all State and local election officials for free. Free. That's not a Fiscal Note that was tagged on this bill. Free.

Again, this information is now available for free without disclosing any data to any private NGO. Social Security death information is available for free from the Social Security Administration; and citizenship verification is available for free, the U.S. Citizenship and Immigration Services. The U.S. Postal Services uses only names and address to determine if an individual has filed permanent out-of-state address change. The name and address are publicly available under Maine law and not private data is necessary for the NCOA report. Again, all of these tools are available to the Secretary without disclosure of private sensitive data.

LD 1431 is a one-page bill. There is no hidden agenda or surprises. It authorizes the Secretary to use the available public resources for list maintenance but requires the protection of private data. For those of you who have not had the chance to read the text of this simple bill: the Secretary of State may implement and maintain an interstate voter registration cross-check program, referred to in the section, 'interstate program,' to identify duplicate voter registrations in more than one state or jurisdiction. The program may cooperate with other state jurisdictions to develop a system, referred to in this section of 'the system,' to routinely exchange public voter registration lists with other states and compare voters and vote histories. The Secretary of State may identify and contract providers of private sector data systems that have demonstrated the ability to work with registered voters and identification and matching systems to support voter list maintenance activities. Notably, the Secretary can continue to be a member of ERIC if she chooses.

The Secretary of State shall record all maintenance activities conducted as a result of any interstate program, any private sector data system use. The Secretary shall submit the information to the Legislature no later than the first day of each fiscal quarter. The Secretary of State may not record and disclose information in the interstate program or private sector data system that is not accessible under Section 196-A, which includes the voter's name, residence address, mailing address, year of birth, enrollment status, electoral district, voter status, date of registration, date of change of voter record if applicable, voter participation history, voter record number, any special designations indicating information services voters, overseas voters or township voters. A contract for the voter list maintenance services may not require any duty or any other additional disclosure of private data by the Secretary of State beyond what is authorized in this section.

This bill would likely save the taxpayers funds, but will not increase the cost in Paragraph six, including a cost cap. The cost to implement and maintain the interstate program or the system may not exceed the funds allocated to the Secretary of State for the voter list maintenance programs. Maintaining clean, accurate voter rolls is critical to restoring trust in the election system. Accurate voter lists also help officials streamline election administration and properly allocate resources like ballots, poll workers. Federal and State laws require Maine to conduct activities for the purpose of ensuring the accuracy and currency of the State's official list of eligible voters. For example, the Help America Vote Act, HAVA, requires Maine's election system to ensure that voter registration records in the State are accurate and updated regularly, and further requires appropriate State or local election officials to perform list maintenance on a regular basis.

The objective of this legislation is clear: Give the Secretary authority to use multiple resources and to ensure accurate voter lists while maintaining data privacy. Protecting Maine's sensitive private data is critical, particularly in the light of the increase in breaches that we have had, which have led to fraud, identity theft and eroded trust. Each time data is shared with other entities, third parties and private corporations, the risk of breach multiplies due to the increased exposure to vulnerabilities. Limiting data sharing reduces the number of access points and minimizes the likelihood of breaches and their devastating consequences.

I urge you to support this legislation to prevent, to prevent unnecessary data disclosure to protect the privacy of Maine citizens. That's what we're here for. So, think carefully before you push that button. Thank you.

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

Representative **SUPICA**: Mr. Speaker; well, I would like to start with, our elections and our election data is secure. What is public is, you know, if you're registered to vote, and when you vote, but how you vote, nobody knows, that is completely private.

So, we have secure, safe elections. And I'm just trying to take everything in right now. I just; I feel like it's darned if you do, darned if you don't, because I remember very clearly being on the Committee many years ago when it was a Republican-led effort for us to join ERIC, and it was a bipartisan support for us to do this because we acknowledged that being able to access information from other states to make sure that people weren't voting in other states and that we could have accurate voter rolls was something that was a good thing.

And so, since we have joined ERIC; which began in 2021; some information that I have for the Members here, if I may

share with you, is that 22,611 voters were canceled from the Central Voter Registration System. And already in 2025, 180,584 voters were canceled because of inactive statuses for two federal general elections. So, since joining, we have been conducting, as we always have, but more thorough examinations of our voter rolls and making sure they're as up to date as they can be without violating laws and removing people before we're allowed to.

So, I just; I would like to leave you, Mr. Speaker, knowing that the Secretary of State's Office has and will continue to do an excellent job maintaining our voter rolls, and that I hope that you will follow my light in defeating this bill. Thank you.

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

ROLL CALL NO. 272

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, Nutting, O'Halloran, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Daigle, Drinkwater, Ducharme, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lanigan, Lavigne, Lemelin, Libby, Mason, McIntyre, Mingo, Morris, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Roberts, Rudnicki, Schmursal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S.

ABSENT - Adams, Archer, Campbell, Cluchey, Cray, Eaton, Eder, Griffin, Hall, Julia, Lyman, Underwood, Wadsworth, Woodsome.

Yes, 74; No, 63; Absent, 14; Vacant, 0; Excused, 0.

74 having voted in the affirmative and 63 voted in the negative, with 14 being absent, and accordingly the Majority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

ENACTORS

Constitutional Amendment

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish the Right to Hunt and Fish (H.P. 527) (L.D. 820) (C. "A" H-324)

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

Representative CARUSO of Caratunk **REQUESTED** a roll call on **FINAL PASSAGE**.

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

The same Representative moved that the Resolution be **TABLED** until later in today's session pending **FINAL PASSAGE**.

Representative MOONEN of Portland **REQUESTED** a roll call on the motion to **TABLE** the Resolution until later in today's session pending **FINAL PASSAGE**.

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

The **SPEAKER**: A roll call has been ordered. The pending question before the House is to Table the Resolution until later in today's session pending Final Passage. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 273

YEA - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Crockett, Daigle, Dill, Drinkwater, Ducharme, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Hasenfus, Henderson, Hepler, Hymes, Jackson, Javner, Lance, Lanigan, Lavigne, Lemelin, Libby, Mason, McIntyre, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Rudnicki, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, Warren, White J, White R, Wood P, Wood S.

NAY - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Copeland, Crafts, DeBrito, Dhalac, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Webb, Yusuf, Zager, Mr. Speaker.

ABSENT - Adams, Archer, Campbell, Cluchey, Cray, Eaton, Eder, Griffin, Hall, Julia, Lyman, Underwood, Wadsworth, Woodsome.

Yes, 68; No, 69; Absent, 14; Vacant, 0; Excused, 0.

68 having voted in the affirmative and 69 voted in the negative, with 14 being absent, and accordingly the motion to **TABLE** the Resolution until later in today's session pending **FINAL PASSAGE FAILED**.

The **SPEAKER**: The Chair recognizes the Representative from Caratunk, Representative Caruso.

Representative **CARUSO**: Mr. Speaker and Ladies and Gentlemen of the House, I rise again in support of LD 820, which is the Constitutional Amendment for the public's right to hunt and fish.

This vote tonight, unfortunately with lower Members, I would request, respectfully, for the Members of this Body to allow this motion to pass, in order to give the public the right to speak at the ballot box. This Amendment does not change anything that we have currently. It continues jurisdiction of current regulatory agencies; IF&W and Marine Resources. It continues all the protections for wildlife conservation and management. It continues all current landowner property rights and protections. It continues the *status quo* that IF&W uses; and Marine Resources; that hunting and fishing is the preferred means to manage our wildlife. And it preserves the future for Maine's hunting and fishing heritage. This bill does not threaten the State of Maine in any way, it doesn't threaten with Sunday hunting, it doesn't change any aspect that we currently enjoy this family tradition, this right given to us by nature and the very thing that is pretty much Maine's brand. It does not create or change rules, regulations or create a new governance structure.

When I saw the map of the United States, and I saw that 24 states had a Constitutional Amendment, I knew that this is something that was fitting for Maine. When I researched all the

language of the Amendments in those 24 states, they were very varied. There were some very lengthy, more precise and more regulatory Amendments in some states, and some were very simple. And I knew that when it came to Maine, we needed something that was very simple that was very consistent with IF&W and Marine Resources as it is now. And so, when I drafted this language, it's very similar to the language that's in the bill right now. There were three words that I changed. Originally, my language said that there would be 'reasonable rules,' and both IF&W and private landowners were uncomfortable with the word 'reasonable.' It appeared twice in the language. And so, I removed 'reasonable.' And then there was the word 'agency' was in singular, and I made it plural for both of our regulatory agencies. But there was no conflict and there was no issue with, you know, IF&W or landowner rights as long as everything stayed the same. And so, we were confident in that.

With the right to food, there was a question whether or not 'harvesting' referred to food. And so, this was going to further clarify that. It was going to stand together with the right to food. There was discussion originally with the Department and some others, and they thought, well, we want to make sure that this Constitutional Amendment doesn't conflict or doesn't challenge the right to food that we tried so hard for. And so, I spent a lot of time speaking with different attorneys; constitutional attorneys, even in the Executive Branch office and everyone was in agreement that this would work in harmony, without conflict and that it would further put a lock on the door in Maine to protect us from threats that happen in other states. As I've mentioned before, there are 13 states that have had threats to their hunting and fishing.

There are some people who say, 'why do we even need it? We can hunt. We can fish.' But the reality is that hunting and fishing is in Statute, and Statutes can change. We do it all day long. And we don't know what the future will hold. And it's better now to make sure that this right is enshrined in the Constitution. This has to do with just so much more than people like to hunt and people like to fish. This is our sustenance and our food for many people. Maybe people not in the cities, but I think that's not true either. There's a lot of people in the southern part of our State, in more heavily populated areas, that depend on having meat in their freezer that they, themselves, harvest.

But like I said before, there are many areas of our State that rely on the ability for them to hunt and fish and for the tourism industry, for people to come up to their areas to hunt and fish. I come from an area where we are completely dependent on the tourism economy. I myself used to own a rafting company, a bed and breakfast, an outfitter shop, and in order for us to stay open, we had to cater to the needs of tourists all year long. And there are many places that closed down, but with the places that do stay open year-round, they are employing mothers and fathers year-round. These are families that get to stay living up there that couldn't otherwise. So, the millions of dollars that hunting and fishing brings into our local rural economies, our communities, it's a trickle-down effect that goes all the way to gas stations, restaurants, those who work in housekeeping, all the way up and down the road. There are people that come for tourism, recreational, natural resource tourism that come to our State, that flood L.L. Bean, Freeport, all the places along the way. They eat in restaurants. Hunting-fishing is a huge part of the Maine way of life, and I think it would be a great disservice to not allow Maine voters to cast their ballot in November and give them a chance, give them the vote, let them decide if they want to enshrine this in the Constitution and make sure that Mainers have this in perpetuity.

The other thing that; this is a very big thing; the other thing that this Constitutional Amendment does is aside from food, aside from livelihoods, aside from economy; the one thing that the right to food doesn't do is it doesn't protect our wildlife. Currently, IF&W utilizes the North American Conservation Model. And this is how you make sure that our wildlife is preserved. It's a healthy way; it's a North American model that was started by, you know, decades ago to preserve our herds. And this is our food for the long run, and this is also, you know, having less collisions with wildlife, and in my area, the 201 corridor, from, like, Bingham up to the border, is the highest rate of collision of moose and vehicles in the lower 48. That's not to mention all the deer that get hit. And so, for all the people that care about our environment, that care about our wildlife, to care about the longevity of it and the humanity of it. A quick death is way better than the torture that a coyote does to a deer. If you've never seen it, it'll change how you feel about whether it's hunting or coyotes.

So, with that said, I encourage the Members of this Body to vote yes and give Mainers their chance to vote at the ballot box. Thank you.

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

This being a Constitutional Amendment, a two-thirds vote of the House being necessary, a total was taken.

ROLL CALL NO. 274

YEA - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Bunker, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Daigle, DeBrito, Dill, Drinkwater, Ducharme, Farrin, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Frost, Gifford, Greenwood, Guerrette, Haggan, Hasenfus, Henderson, Hepler, Hymes, Jackson, Javner, Lajoie, Lance, Lanigan, Lavigne, Lee, Lemelin, Libby, Mason, McIntyre, Milliken, Mingo, Morris, Nutting, O'Halloran, Olsen, Parry, Paul, Perkins, Pluecker, Poirier, Pomerleau, Quint, Ray, Rudnicki, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Supica, Swallow, Thorne, Tuell, Walker, Warren, Webb, White J, White R, Wood P, Wood S.

NAY - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Cloutier, Copeland, Crafts, Crockett, Dhalac, Dodge, Doudera, Faircloth, Friedmann, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Julia, Kessler, Kuhn, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Mitchell, Montell, Moonen, Murphy, Osher, Pugh, Rana, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Terry, Yusuf, Zager, Mr. Speaker.

ABSENT - Adams, Archer, Campbell, Cluchey, Cray, Eaton, Eder, Griffin, Hall, Lyman, Underwood, Wadsworth, Woodsome.

Yes, 79; No, 59; Absent, 13; Vacant, 0; Excused, 0.

79 having voted in the affirmative and 59 voted in the negative, with 13 being absent, and accordingly the Resolution **FAILED FINAL PASSAGE** and was sent to the Senate.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES** reporting **Ought Not to Pass** on Bill "An Act to Exempt Nonprofit Agricultural Membership Organizations from Insurance Requirements"

(S.P. 381) (L.D. 893)

Signed:

Senators:

BAILEY of York
BALDACCI of Penobscot

Representatives:

MATHIESON of Kittery
ARFORD of Brunswick
BOYER of Cape Elizabeth
CLUCHEY of Bowdoinham
MASTRACCIO of Sanford

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (S-59)** on same Bill.

Signed:

Senator:

HAGGAN of Penobscot

Representatives:

CIMINO of Bridgton
FLYNN of Albion
FOLEY of Wells
MORRIS of Turner
OLSEN of Raymond

Came from the Senate with the Minority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-59)**.

READ.

Representative MATHIESON of Kittery moved that the House **ACCEPT** the Majority **Ought Not to Pass** Report.

The same Representative **REQUESTED** a roll call on her motion to **ACCEPT** the Majority **Ought Not to Pass** Report.

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

The SPEAKER: The Chair recognizes the Representative from Kittery, Representative Mathieson.

Representative **MATHIESON**: Thank you, Mr. Speaker. LD 893 is a bill that would exempt qualifying nonprofit agricultural membership organizations from the definition of health insurance in the insurance code. It would allow them to provide health benefit coverage to members without being subject to regulatory oversight by the Bureau of Insurance or any federal regulatory agency. Farmers, like all Mainers, deserve access to quality, affordable health insurance for themselves, their families and their employees. This bill is not that.

Proponents of this bill have been trying to market this product in Maine for many years. The arguments in support of this bill have changed over the seasons. The goal has remained the same: to allow a very harmful product into Maine. For example, last Session, we heard a similar bill in HCIFS. At that time, proponents argued that farmers in Maine had no access to affordable, quality health insurance. Over the course of the public hearings, we've learned that farmers do, in fact, have access to quality, affordable health insurance, but they were perhaps not aware of those options. We agreed that the proponents of this bill could coordinate with the Consumers of

Affordable Care and get informational sessions with the farmers to learn about their options. Unfortunately, despite Consumers of Affordable Care calling several times, these informational sessions were not set up. It's my understanding that this offer is still open, and we remain interested in having these informational sessions move forward. Instead, proponents reintroduced this bill.

What does this bill propose? This bill is a health program that uses medical underwriting to deny coverage for those who have pre-existing conditions. It imposes waiting periods for members with pre-existing conditions. It caps pharmacy benefits at \$7,500 per year. It provides no consumer protections, including appeals for coverage denials. It doesn't provide any dispute resolution or external review. It doesn't apply any restrictions for use of AI medical decisions. There's no enforcement mechanisms. This product doesn't have any regulatory oversight by the Maine Bureau of Insurance or any regulatory authority. There's no financial oversight by the Bureau of Insurance. This is a core mission of the Bureau of Insurance, to allow the Bureau to determine if an insurer is in a hazardous financial condition and consumers or policyholders are protected. Although there is a requirement in this bill for a written notice to the applicant, there is no enforcement mechanism for ensuring compliance and no penalty for any failure to comply.

Mr. Speaker, let me be clear: a consumer who purchases this product in this bill would have no recourse for a complaint or a denial of coverage under the plan. The organization offering the product would be able to underwrite any applicant, charge for those with pre-existing conditions, charge more for those with pre-existing conditions or deny coverage altogether. Under this proposal, there is no coverage requirement for things such as office visits, preventative screenings for cancers like mammograms or PSA levels. There's no coverage requirements for inpatient hospitalization, no coverage requirements for prescription drugs or behavioral health. There's no hospital or physician network adequacy requirements. There's no guarantee in a participant's request for reimbursement will be paid and no recourse if denied.

In a Tennessee Farm Bureau's plan, we found out in the public hearing that maternity coverage for a family plan was only covered if the maternity plan or the coverage plan was consistent for a nine-month period. If that time period or waiting period was not covered for the full nine months, there was no maternity coverage. For an individual plan, there is no maternity coverage unless the woman had a pregnancy complication.

The proponents of this bill made no secret in the public hearing that this is geared toward young, healthy people. We learned, however, that the average Maine farmer is 57 years old. Simply put, some farmers in Maine have been persuaded to advocate for this proposal that will not be available for them. Furthermore, by pulling the young, healthy people out of the individual and small group insurance markets, this leaves the less healthy people to get coverage under this market. This increases our prices in health care. In addition, it could actually collapse our market in our rural areas, as has happened in Tennessee in some rural areas.

I've heard the argument, 'why not just let this product into the State and let the people choose.' In addition to the harms that I've listed, my response to that is that we have a duty, we have a responsibility as Representatives to not allow harmful products into a marketplace. We do this all the time with chemicals, with harmful toys; this is no different. This bill will not help farmers access quality, affordable health insurance. It will

actually lead some into medical bankruptcy, with a false sense of being covered, only to discover that they are not covered.

No doubt, health insurance is too expensive, but allowing this product into Maine will invariably make health insurance more expensive for our farmers and for all of our Mainers. Please support the motion on the floor: Ought Not to Pass. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Wells, Representative Foley.

Representative **FOLEY**: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the pending motion.

LD 893 is not a debate about health insurance, because LD 893 does not provide health insurance. It provides a choice for our farmers to purchase health coverage through the Tennessee Farm Bureau, a trusted program that has been around since 1947. In fact, before the HCA, many Maine farmers participated in a similar program through the New York Farm Bureau. They liked the options they could purchase, and, more importantly, they liked the pricing of those options. Many will argue that the plan through the Tennessee Farm Bureau is not very good health coverage. Well, you and I may not choose to purchase that product; it isn't our choice to make, it's our farmers, their families and their employees who should get to make that choice.

Maine's farming community is in a crisis as a result of the continued expenses and climate pressures. The margins are thin and getting thinner. The 2022 Census of Agriculture shows a seven percent loss of farms since 2017, and 20% disappearing every two years. The soaring cost of health coverage is a barrier. Many farmers go without, risking their health and their farms. The HCIFS Committee heard stories of farmers duct-taping severed fingers or avoiding hospital care during heart attacks due to the lack of coverage. LD 893 offers a solution; a plan that can save farmers up to 70% on premiums, covering doctor visits, hospital stays, prescriptions and emergencies, with no lifetime benefit caps. For a family of four, this could mean the difference between keeping the farm or selling out.

Many families either don't have coverage or must hold down a job off-farm solely for the insurance benefits. During testimony, we heard of the struggles many farmers face. One young family of four talked about the insurance coverage they used to have at a premium cost of \$12,000 per year, with a \$5,000-per-person deductible. They would need to incur almost \$32,000 of health care and insurance costs before using one penny of that coverage. The spouse had to give up working at the farm to go to work in order to provide health insurance that they could afford through her new employer, leaving her family to tend the farm without her.

During testimony, we heard from a farmer, Jonathan Tibbetts. That York County farmer testified that LD 893 would allow him to offer coverage to his three full-time employees who currently rely on spouse's insurance or going without. This supports the next generation of farmers, noting that the 4-H and the FFA kids aspire to farm, but face barriers like unaffordable coverage. LD 893 will help close these gaps.

In order to address the concerns raised during the Committee hearing, the bill was amended several times, providing transparency; farmers must complete a navigation process to explore options like CoverMe.gov or MaineCare before enrolling and ensuring informed choices.

Pre-existing conditions: The plan considers and accepts some pre-existing conditions after six-month waiting period if disclosed up front, ensuring fair and honest access. Some will say it doesn't cover maternity, which is untrue. There is a nine-

month waiting period before maternity is covered, but once the nine months has passed, maternity is fully covered, as any other condition.

Oversight: A memorandum of understanding with the Superintendent of Insurance ensures a complaint process modeled after the Tennessee's 75-year success. This, combined with an internal three-tier review process, will ensure complaint resolution and sufficient appeals to have farmers' voices heard if they feel a claim should be covered.

The market impact: Eligibility is limited to active farmers only; who have to file a Schedule F with the U.S. Census definition or Schedule C with the Agriculture as a principal activity; targeting a very small group of farmers. This ensures that the risk pool distribution is minimal, if not negligible.

I want to read to you the members of the Maine Agricultural Council of Maine who support this bill: The Maine Agricultural Association, the Maine Association of Conservation Districts, Maine Christmas Tree Association, Maine Dairy Industry Association, Maine Farm Bureau Association, Maine Farmland Trust, Maine Organic Farmers and Gardeners Association, Maine Organic Milk Producers, Maine Beef Producers Association, Maine State Pomological Society, Maine Vegetable and Small Fruit Growers Association, Ornamental Horticultural Council and the Maine Wild Blueberry Commission have all endorsed this product.

We trust our farmers to grow our food, to be good stewards of our land that they cultivate, the crops that they raise and the food they put on our tables. Shouldn't we allow them the right to make this choice for themselves? Please follow my light. Thank you, Mr. Speaker.

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

Representative FLYNN: Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this motion.

One thing that farmers understand, in my experience, is they understand risk. Every day that a farmer awakens, they're assuming some risk. Whether it's a 400-head herd of a dairy farm or a small, specialized family MOFGA farm, there are risks. There's weather, there's crop disease, equipment breakdowns, health of their animals, plagues of insects. Farmers know the risk. Many have assumed this risk for generations. We had generational farmers in Committee explaining that without some relief, they are in danger of losing their farms. Farmers do not want to risk their own personal health, and they have found a way to mitigate some of these health risks for themselves through an alternative means to cover their medical needs that will not bankrupt them. They know risks; they manage risk every single day. I trust their judgment. I ask you to do the same. Follow our light. Thank you.

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

ROLL CALL NO. 275

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dodge, Doudera, Faircloth, Friedmann, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Moonen, Murphy, O'Halloran, Osher, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Daigle, Dill, Drinkwater, Ducharme, Farrin, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Frost, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lanigan, Lavigne, Lemelin, Libby, Mason, McIntyre, Mingo, Montell, Morris, Nutting, Olsen, Parry, Paul, Perkins, Pluecker, Poirier, Pomerleau, Quint, Rollins, Rudnicki, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S.

ABSENT - Adams, Archer, Campbell, Cluchey, Cray, Eaton, Eder, Griffin, Hall, Lyman, Underwood, Wadsworth, Woodsome.

Yes, 69; No, 69; Absent, 13; Vacant, 0; Excused, 0.

69 having voted in the affirmative and 69 voted in the negative, with 13 being absent, and accordingly the Majority **Ought Not to Pass** Report was **NOT ACCEPTED**.

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

The Bill was **READ ONCE**. **Committee Amendment "A" (S-59)** 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-59)** in concurrence.

Representative RUDNICKI: Mr. Speaker.

The SPEAKER: The Chair would inquire as to why the Representative from Fairfield rises.

Representative RUDNICKI: Mr. Speaker, we are coming to the 9:00 o'clock hour, and under the House Rules, there must be a vote to go past 9:00 o'clock. And we are at 8:59 p.m. as of right now.

The SPEAKER: The Chair would inform the Body that we have Item 6-6 before us, and a Supplement that has three Divided Reports on it, that is the remainder of our work for the day.

Representative RUDNICKI: I still request a vote on going past 9:00 o'clock.

The SPEAKER: The Member may object to the rule in 20 seconds.

The Chair recognizes the Representative from Fairfield, Representative Rudnicki.

Representative RUDNICKI: Mr. Speaker, I object to going after 9 o'clock without a vote of the Body, and I'd like a Roll Call, too, please.

Representative RUDNICKI of Fairfield **OBJECTED** to extending the session past 9:00 p.m and **REQUESTED** a roll call on **SUSPENSION** of House Rule 501.

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 Wells, Representative Foley.

Representative FOLEY: Thank you, Mr. Speaker. Can I ask a question to the Chair?

The SPEAKER: The Member may proceed.

Representative FOLEY: How many items do we have left to go over for the night?

The SPEAKER: The Chair would inform the Member that we have Item 6-6 on the Regular House Calendar that the Chair accidentally missed earlier today, and then Supplement No. 2; which has three Divided Reports; and that would be the conclusion of our work for the day. The Chair recognizes the Representative from Milford, Representative Drinkwater.

Representative **DRINKWATER**: Thank you, Mr. Speaker. Just a Parliamentary Inquiry. Does it take two-thirds of the Body to suspend the rules?

The SPEAKER: The Chair would inform the Member it takes two-thirds present and voting. The Chair recognizes the Representative from Blue Hill, Representative Milliken.

Representative **MILLIKEN**: Thank you, Mr. Speaker. Could I pose a question through the Chair?

The SPEAKER: The Member may proceed.

Representative **MILLIKEN**: Thank you. My understanding, or my memory is telling me, that historically, when this rule has been in place and we haven't gone past 9:00 p.m., the Speaker or the President of the Senate has called the Body back at 12:01 a.m. to finish the work of the previous day. Is that correct?

The SPEAKER: That has happened in the past. The Chair recognizes the Representative from Rumford, Representative Henderson.

Representative **HENDERSON**: Thank you, Mr. Speaker. No questions to ask through the Chair. I would just state that with only four Divided Reports left, although I appreciate and can sympathize with wanting to get out of here in a timely manner, I would just encourage my colleagues on both sides of the aisle just to buckle down for the next 15 to 20 minutes, get our work done for the night, so we can come back fresh in the morning. Thank you.

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

Representative **GREENWOOD**: Thank you, Mr. Speaker. Wouldn't it also be an option that the items that are not addressed after the 9:00 o'clock could be placed on the Calendar of the next Legislative Day?

The SPEAKER: The Chair would answer in the affirmative. The Chair recognizes the Representative from Fairfield, Representative Rudnicki.

Representative **RUDNICKI**: Mr. Speaker, if we hadn't already taken two breaks today, I would sympathize, but I have no sympathy where we've already had two full breaks today, and we're not getting started on time; we don't start till it was 10:30 a.m. again this morning, or later that we started. We come back from the first break, and I know you've tried and you're ringing the bell, but your side of the aisle is still not showing up on time, so, why should that put the rest of us in later in the evening?

I, for one, drive home every night, okay? Some of; a lot of people stay over. Who's going to be responsible if I get in a car accident because I'm overtired, or anybody else in this because we're overtired? This has been going on a long time, and it's gone on much too long when we're taking the kind of breaks that we're taking, and we're not showing up and being in our seats on time. So, why should I feel sympathy for people wanting to finish the work? Put it to tomorrow. We're here for another two and a half weeks. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Bridgton, Representative Cimino.

Representative **CIMINO**: Thank you, Mr. Speaker. The last time this conversation came up, one of the things that was said was that, because we had never disagreed with going past 9:00 o'clock, then it was interpreted that it didn't matter that we went past 9:00 o'clock. So, we are now saying we do not want to go past 9:00 o'clock, and for us to change that would give the Speaker the impression that we are willing to go past 9:00 o'clock and not have that, you know, and just let that go, because that's what we've always done.

The SPEAKER: The Chair would inform the Member that this is suspending the rule for this moment in time, not indefinitely. The Chair recognizes the Representative from Phillips, Representative Soboleski.

Representative **SOBOLESKI**: Thank you, Mr. Speaker. Rule 514, transaction business: "business may not be transacted after the hour of 9:00 p.m. without the affirmative vote of a majority of the Members," not two-thirds, Sir. 514.

The SPEAKER: The Chair would inform the Member that he may be; the Chair would inform the Member that that is the Rules of the Senate that appears on page 99 of the book, not the House Rules. The Chair recognizes the Representative from Winter Harbor, Representative Faulkingham.

Representative **FAULKINGHAM**: Thank you, Mr. Speaker. As much as I hate to be here at 9:00 o'clock or after 9:00 o'clock; I'd really like to get headed home, because I have a long drive back, but I also don't want to be here at 9:00 o'clock tomorrow night. Therefore, I would rather get through this work that we have today.

I'd also like to thank the Speaker for acknowledging the Representative from Fairfield and actually taking this to a vote. I appreciate that. And with that being said, my opinion is that we have a little bit of work left, I'm in favor of continuing this work and finishing it off, but with that being said, if it looks like it's not going to be reasonable in the future, then Republicans will continue to object at 9:00 o'clock.

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

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

The SPEAKER: The Member may proceed.

Representative **MOONEN**: Mr. Speaker, are you taking input on your decision to call us back in at 12:01 a.m.?

The SPEAKER: The Chair would take Members' feedback, of course.

Representative **MOONEN**: In that case, I have informally polled a couple of people in my row, and we're ready to be here at 12:01 a.m.

The SPEAKER: The House will be in order. A roll call has been ordered. The pending question before the House is to Suspend House Rule 501 for the purpose of remaining in session past 9:00 p.m. All those in favor will vote yes, those opposed will vote no.

The SPEAKER: The Chair inquires as to why the Representative from Fairfield rises.

Representative **RUDNICKI**: Just to clarify which way each vote goes, because apparently, there's confusion.

The SPEAKER: A vote in the affirmative will be of suspending House Rule 501 in order to work past 9:00 p.m. A vote in the negative will be to not suspend House Rule 501, and therefore conclude our work for the day. And the vote is open.

A roll call has been ordered. The pending question before the House is to Suspend House Rule 501 for the purpose of remaining in session past 9:00 p.m.. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 276

YEA - Abdi, Albert, Ankeles, Arata, Ardell, Arford, Babin, Beck, Bell, Bishop, Blier, Boyer M, Brennan, Bridgeo, Bunker, Caruso, Cloutier, Collamore, Cooper, Copeland, Crafts, Crockett, Daigle, DeBrito, Dhalac, Dill, Dodge, Doudera, Ducharme, Faircloth, Farrin, Faulkingham, Flynn, Foley, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Guerrette, Hasenfus, Henderson, Hepler, Jackson, Julia, Kessler, Kuhn, Lajoie, Lance, Lee, Lookner, Macias, Malon, Mason, Mastraccio, Mathieson, Matlack, McCabe, McIntyre, Meyer, Milliken, Mingo, Mitchell, Montell, Moonen, Murphy, Nutting, O'Halloran, Olsen, Osher, Parry, Pluecker, Pomerleau, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Simmons, Sinclair, Skold, Stover, Strout, Supica, Swallow, Terry, Tuell, Warren, Webb, White R, Wood P, Wood S, Yusuf, Zager, Mr. Speaker.

NAY - Bagshaw, Boyer D, Carlow, Chapman, Cimino, Collins, Drinkwater, Foster, Fredericks, Fredette, Gifford, Greenwood, Haggan, Hymes, Javner, Lanigan, Lavigne, Lemelin, Libby, Morris, Paul, Perkins, Poirier, Quint, Rudnicki, Schmersal-Burgess, Smith, Soboleski, Thorne, Walker, White J.

ABSENT - Adams, Archer, Campbell, Cluchey, Cray, Eaton, Eder, Griffin, Hall, Lyman, Underwood, Wadsworth, Woodsome.
Yes, 107; No, 31; Absent, 13; Excused, 0.
107 having voted in the affirmative and 31 voted in the negative, with 13 being absent, and accordingly House Rule 501 was **SUSPENDED**.

REPORTS OF COMMITTEE

Divided Reports

Majority Report of the Committee on **HOUSING AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-182)** on Resolve, Directing the Maine State Housing Authority to Negotiate for the Purchase of or Acquire by Eminent Domain the Land and Buildings Commonly Known as the Bangor Mall (S.P. 390) (L.D. 901)

Signed:

Senators:

CURRY of Waldo
BAILEY of York
BENNETT of Oxford

Representatives:

GERE of Kennebunkport
GOLEK of Harpswell
JULIA of Waterville
MALON of Biddeford
ROBERTS of South Berwick
YUSUF of Portland

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

Signed:

Representatives:

COLLAMORE of Pittsfield
EDER of Waterboro
MINGO of Calais

Came from the Senate with the Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Resolve **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-182)**.

READ.

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

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

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

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

Representative **COLLAMORE**: Thank you, Mr. Speaker. Mr. Speaker, I ask that we vote against the pending motion in front of us.

I'm speaking out in opposition to this bill because currently, the way this bill is written, it is basically a runaround of the process of property owner rights. This motion before us with the amended bill requires the Maine Housing Authority to have conversations with the City of Bangor on how to take over the Bangor Mall without actually including in the conversation the owners of the Bangor Mall. So, I would respectfully ask that you vote against the motion and protect property owner rights. Thank you.

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

Representative **GERE**: Thank you, Mr. Speaker. Mr. Speaker, the Bangor Mall has been experiencing some challenges lately, and anyone who's stepped foot there might have experienced them themselves. This bill actually requires the Maine Redevelopment Land Bank Authority; which is the entity in our State that helps with redeveloping properties and helping municipalities come up with strategies; to work with the City of Bangor to develop a plan for the property and also to look at the mixed uses that might be appropriate for the property to help with the economic revitalization and to report back to the Joint Standing Committee on Housing and Economic Development with regard to that plan. It is a much-needed plan for the area. Bangor Mall is a very predominant entity that is a part of the economic system of the area and is really important to take a look at. So, the Maine Redevelopment Land Bank Authority is the appropriate entity to do that, and this Resolve just enables that work to go forward. Thank you, Mr. Speaker.

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

Representative **COLLAMORE**: Thank you, Mr. Speaker. I apologize. I'm exhausted, and I forgot we had changed it to the Land Bank instead of Maine Housing, but it's still; as somebody who's worked in the Bangor Mall and walked around that mall, actually in preparation for this bill coming, people in that mall do not want the City of Bangor taking it over, because the City of Bangor; which is something that they are hoping will come out of this Land Bank and City of Bangor collaboration with the report coming to us; and the reason that they would like to avoid that is because, unfortunately, the City of Bangor has been very hard to work with as businesses are trying to continue to upgrade and expand themselves throughout that mall. And I talked to multiple business owners, Mr. Speaker, who have asked us not to support this, especially since; whether it's the Land Bank or the Housing Authority; and again, I apologize for being tired at this late hour and forgetting that we switched that; that the property owners are still out of the conversation. They

have no say in what this report that's coming back to the Housing Committee actually does. Thank you, Mr. Speaker.

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

Representative **ROEDER**: I'll be quite brief. Normally, I would feel quite in the same way as my colleague from Pittsfield, but I just want to talk a little bit about the Bangor Mall's owners, if I may. They were ordered by a court to make repairs several years; or several months ago. Several weeks ago, they said that they had, and they have not. This is a company that allowed raw sewage to flow into a stream nearby. I have a lot of sympathy for the people who are renting from them, but as a friend to someone who left the Bangor Mall because they did not have any heat in the winter or air conditioning in the summer, I don't think that the owners of this building are doing a good job by their tenants. I have immense sympathy for the tenants of the Bangor Mall, though. Thank you.

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

Representative **QUINT**: Point of Order.

The SPEAKER: The Chair recognizes the Representative from Hodgdon, Representative Quint, and inquires to her Point of Order.

Representative **QUINT**: Yes, I was holding a vote for someone to return, and you closed the vote and I had not voted.

The SPEAKER: The Chair would inquire how the Representative from Hodgdon would like to be recorded.

Representative **QUINT**: No. Thank you.

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

ROLL CALL NO. 277

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lanigan, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Daigle, Drinkwater, Ducharme, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, Libby, Mason, McIntyre, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Schmersal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S.

ABSENT - Adams, Archer, Campbell, Cluchey, Cray, Eaton, Eder, Griffin, Hall, Lyman, Rudnicki, Underwood, Wadsworth, Woodsome.

Yes, 76; No, 61; Absent, 14; Vacant, 0; Excused, 0.

76 having voted in the affirmative and 61 voted in the negative, with 14 being absent, and accordingly the Majority **Ought to Pass as Amended Report was ACCEPTED.**

The Resolve was **READ ONCE. Committee Amendment "A" (S-182) was READ** by the Clerk and **ADOPTED.**

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

Under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-182)** in concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

Majority Report of the Committee on **HOUSING AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-383)** on Bill "An Act to Require Municipal Reporting on Residential Building Permits, Dwelling Units Permitted and Demolished and Certificates of Occupancy Issued"

(H.P. 789) (L.D. 1184)

Signed:

Senators:

CURRY of Waldo

BAILEY of York

Representatives:

GERE of Kennebunkport

GOLEK of Harpswell

JULIA of Waterville

MALON of Biddeford

YUSUF of Portland

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "B" (H-384)** on same Bill.

Signed:

Senator:

BENNETT of Oxford

Representatives:

COLLAMORE of Pittsfield

MINGO of Calais

ROBERTS of South Berwick

WALKER of Naples

READ.

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

The Bill was **READ ONCE. Committee Amendment "A" (H-383) 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-383)** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-387)** on Bill "An Act to Create Parity in the Taxation of Medicine by Exempting Sales of Cannabis for Medical Use"

(H.P. 363) (L.D. 544)

Signed:

Senators:

HICKMAN of Kennebec
TIMBERLAKE of Androscoggin

Representatives:

BOYER of Poland
CHAPMAN of Auburn
FREDERICKS of Sanford
FROST of Belgrade

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

Signed:

Representatives:

SUPICA of Bangor
FAIRCLOTH of Bangor
GRAHAM of North Yarmouth
MALON of Biddeford
TERRY of Gorham

READ.

Representative SUPICA of Bangor moved that the House **ACCEPT** the Minority **Ought Not to Pass** Report.

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

Representative **BOYER**: Thank you, Mr. Speaker. I rise in support of medical cannabis patients, against the pending motion. I think this bill passed under the hammer in the 131st. Of course, it didn't get funded, because medical cannabis makes a lot of money for the State; I think it was about \$35 million; but I think patients appreciated the acknowledgment from the Legislature that it was medicine, that we don't tax prescription medication. You know, folks that use this as medicine aren't getting insurance to cover it, insurance doesn't cover it, so, I'm hoping, even if it's symbolic, that we can show over 100,000 medical cannabis patients in Maine that we support you. Thank you, Mr. Speaker.

Representative **FREDERICKS** of Sanford **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **Ought Not to Pass** Report.

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

The **SPEAKER**: The Chair recognizes the Representative from Sanford, Representative Fredericks.

Representative **FREDERICKS**: Thank you, Mr. Speaker, and Men and Women of the House. Customarily, patients do not pay sales tax on prescription medication, and medical cannabis patients should have that same uniformity. It is a financial hardship for patients to pay cash for their cannabis medicine with no insurance, no Medicare, no MaineCare subsidy, plus pay the added sales tax.

Yearly, more patients are skeptic of prescription medications and turning to plant-based medicine, herbal medicine, holistic management and self-care. Cannabis plant-based medicine is utilized for its therapeutic and palliative effects. It is common for a patient to forego chemotherapy and radiation or discontinue conventional medications prescribed for chronic pain, PTSD, anxiety, ADHD, depression, insomnia because of the undesirable side effects; which include weight gain, nausea, loss of libido, urinary retention and just a

sensation of feeling out of it, lethargic; and they initiate medical cannabis.

THC is the compound in cannabis which has brought the stigma. At a high dose, it can be psychoactive and cause impairment. At the proper dose, THC can be an effective sleep aid, a pain reliever, antispasmodic agent, an anti-anxiety agent, it can stimulate appetite without inducing impairment. Medical cannabis formulations may have some THC, low THC or no THC at all. There are compounds beyond THC called cannabinoids; which result in no high, no impairment and have healthful effects; like CBC, CBD, CBG, CBN, THCV, THCA. Marinol is an FDA-approved THC medication often prescribed to cancer patients to treat nausea and to stimulate appetite. Epidiolex is an FDA-approved cannabis medication to treat pediatric seizure conditions. Sativex spray is a cannabis medication to treat the spasticity of multiple sclerosis. Cannabis is a medicine and patients know this. Opiate users are having success transitioning off of opiates with the help of medical cannabis. Professional athletes are using medical cannabis, resulting in their policy changes. The National Basketball Association, National Football League, the National Hockey League, the Major League Baseball no longer either test for or discipline for medical cannabis use. The National Institute for Health has a vast array of studies proving healthful effects of cannabis, and that explains why people use it as medicine.

LD 544 is a win-win. It aligns taxation of medicines, it cuts taxes for medical cannabis patients, it allows Mainers to return that revenue in the goods and services of their choosing and ultimately, the Maine economy has no loss of revenue. Please vote against the pending motion. Thank you, Mr. Speaker.

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

ROLL CALL NO. 278

YEA - Abdi, Ankeles, Arata, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Carlow, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dill, Dodge, Doudera, Faircloth, Farrin, Foster, Friedmann, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Greenwood, Hasenfus, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Morris, Murphy, O'Halloran, Osher, Pluecker, Pomerleau, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Tuell, Warren, Webb, Yusuf, Zager, Mr. Speaker.

NAY - Albert, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Daigle, Drinkwater, Ducharme, Faulkingham, Flynn, Foley, Fredericks, Fredette, Frost, Gifford, Guerrette, Haggan, Henderson, Hepler, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, Libby, Mason, McIntyre, Mingo, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Quint, Schmearsal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Walker, White J, White R, Wood P, Wood S.

ABSENT - Adams, Archer, Campbell, Cluchey, Cray, Eaton, Eder, Griffin, Hall, Lanigan, Lyman, Rudnicki, Underwood, Wadsworth, Woodsome.

Yes, 80; No, 56; Absent, 15; Vacant, 0; Excused, 0.

80 having voted in the affirmative and 56 voted in the negative, with 15 being absent, and accordingly the Minority **Ought Not to Pass** Report was **ACCEPTED** and sent for concurrence.

Majority Report of the Committee on **VETERANS AND LEGAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-385)** on Bill "An Act to Provide for the Direct Shipment of Spirits to Consumers"
(H.P. 1172) (L.D. 1754)

Signed:

Senators:

HICKMAN of Kennebec

DUSON of Cumberland

Representatives:

BOYER of Poland

FREDERICKS of Sanford

FROST of Belgrade

HYMES of Waldo

TERRY of Gorham

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

Signed:

Senator:

TIMBERLAKE of Androscoggin

Representatives:

SUPICA of Bangor

CHAPMAN of Auburn

FAIRCLOTH of Bangor

GRAHAM of North Yarmouth

MALON of Biddeford

READ.

Representative SUPICA of Bangor moved that the House **ACCEPT** the Minority **Ought Not to Pass** Report.

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

Representative **SUPICA**: Thank you, Mr. Speaker. This bill threatens the foundation of Maine's local economy and public safety.

By allowing out-of-state companies to ship liquor directly to homes, it cuts Maine's businesses, our retailers and wholesalers, out of the picture entirely. These are the stores that employ our neighbors, pay local taxes and give back to our communities. They've made long-term investments in shelf space, infrastructure and staff, all under Maine's existing well-regulated system. This bill is not about helping small Maine producers. Those producers already have legal ways to distribute and sell their products throughout Maine's established three-tier system. What LD 1754 really does is open the door to major national players who won't hire in Maine, who won't reinvest in our towns and who won't be there when our local businesses shut their doors.

And then, there's safety. Our current system ensures that trained, licensed individuals check IDs, monitor for intoxication and follow the rules. With direct shipping, we lose all that. And we've seen it in Massachusetts and Vermont; underage buyers getting alcohol, no accountability.

Only six other states plus D.C. allow this kind of direct shipment of spirits. Maine doesn't need to be next. We have a system that works, one that supports jobs, safeguards our communities and keeps alcohol access responsible and fair. Please follow my light in defeating this bill. Thank you.

Representative BOYER of Poland **REQUESTED** a roll call on the motion to **ACCEPT** the Minority **Ought Not to Pass** Report.

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

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

Representative **BOYER**: Thank you, Mr. Speaker. That sounds pretty scary, but it really isn't, Mr. Speaker. I invite Members to hit the bill text right on their tablet and give it a couple scrolls. You'll see that a lot of things have been considered with direct shipment of spirits. You'll see that taxes and fees are covered and even spirits pricing is taken into account. You'll see that it's limited to 60 cases from out-of-state, and 60 cases of spirits; mid-tier bourbon, \$40,000; I don't think that's going to put any businesses at risk. And then, if there's 10 cases of any single product, any SKU, if we get 10 cases from out of state that's not listed in our State, it will become listed, so that it will be; obviously, there's a demand; it will be listed.

Eleven states do this, even more with wine. We've had direct shipment of wine for years and years and years in our State and hasn't been an issue with underage folks. You'll see in the bill that you have to be 21 to sign for it, it's shipped through common carriers, so, it isn't willy-nilly or anything like that.

And what it will do is help our local distilleries that can't ship in-state. They can ship; they can sell directly if you show up; but if someone's from the County or *vice versa* and visiting and wanted a case shipped up or shipped down, they couldn't do it. So, that's why local distilleries were in the VLA Committee asking for this bill. It's very, very, very narrowly tailored. Like I said, 60 cases; 10 cases, it becomes listed. The sky's not going to fall, and, you know, this was studied in the 130th, it got close in the 131st and I think this is the time to let small businesses ship their distilled spirits and to let consumers buy them. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Bridgton, Representative Cimino.

Representative **CIMINO**: Thank you, Mr. Speaker. I would just like to point out that once again, we're going with the Minority Report, despite the fact that both Republicans and Democrats did support that Majority Report.

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

Representative **CLOUTIER**: Thank you, Mr. Speaker. Mr. Speaker, I also rise in opposition to the pending motion.

LD 1754 expands consumer choice and convenience by empowering all Maine residents to responsibly access a wider variety of spirits directly from distillers, extending the same modern convenience already enjoyed by Mainers with regulated direct shipments of wine, and through in-state distillery tasting rooms and by allowing Maine residents to ship a bottle of spirits home when traveling and visiting a distillery.

This bill supports small businesses, tourism and state revenue. It offers small distillers a cost-effective way to reach new and returning customers, especially those in remote areas, and is estimated to increase State licensing fees and premium tax revenues, while strengthening Maine's \$680 million spirits sector and supporting 6,300 jobs. It helps distillers capitalize on tourism, letting in-state visitors ship products home, just like they can with wine. LD 1754 modernizes Maine law, ensuring parity with regional and national peers like New Hampshire and Rhode Island. Eleven states and D.C. currently allow the direct shipment of spirits.

Finally, Mr. Speaker, LD 1754 builds on years of dialogue with the Bureau of Alcoholic Beverages and Lottery Operations; also known as BABLO; who provided input to the Majority Ought to Pass as Amended Report, which includes improvements from prior sessions and sets the stage for ongoing collaboration on product pricing and registration integration, revenue assurance

through discount rate updates, access to imported products as allowed in other states, technical refinements as identified with BABLO and a report back to the Legislature in 2028 on the success or challenges with the program. It establishes a controlled, safe and responsible framework, maintaining Maine's controlled state structure while providing a regulated DTC pathway and State establishment of prices. Mr. Speaker, I hope you will join me in opposing the pending motion.

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

ROLL CALL NO. 279

YEA - Abdi, Ankeles, Arata, Arford, Beck, Bell, Boyer M, Brennan, Bunker, Chapman, Copeland, Crockett, DeBrito, Dhalac, Dodge, Doudera, Drinkwater, Faircloth, Farrin, Friedmann, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Javner, Julia, Kessler, Lajoie, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Morris, Nutting, O'Halloran, Osher, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Sachs, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Tuell, Warren, Webb, Yusuf, Zager.

NAY - Adams, Albert, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Bridgeo, Carlow, Caruso, Cimino, Cloutier, Collamore, Collins, Cooper, Crafts, Daigle, Dill, Ducharme, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Frost, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Kuhn, Lance, Lavigne, Lee, Lemelin, Libby, Lookner, Mason, McIntyre, Mingo, Murphy, Olsen, Parry, Paul, Perkins, Pluecker, Poirier, Pomerleau, Quint, Runte, Salisbury, Sargent, Schmursal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Terry, Thorne, Walker, White J, White R, Wood P, Wood S, Mr. Speaker.

ABSENT - Archer, Campbell, Cluchey, Cray, Eaton, Eder, Griffin, Hall, Lanigan, Lyman, Rudnicki, Underwood, Wadsworth, Woodsome.

Yes, 67; No, 70; Absent, 14; Vacant, 0; Excused, 0.

67 having voted in the affirmative and 70 voted in the negative, with 14 being absent, and accordingly the Minority **Ought Not to Pass** Report was **NOT ACCEPTED**.

Subsequently, on motion of Representative SUPICA of Bangor, the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Bill was **READ ONCE**. **Committee Amendment "A" (H-385)** 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-385)** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH** with the exception of matters being held.

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

Representative **MOONEN**: Mr. Speaker, is the House still in possession of LD 893?

The SPEAKER: The Chair would answer in the affirmative, having been held at the Member's request.

Representative MOONEN of Portland moved that the House **RECONSIDER** its action whereby Bill "An Act to Exempt Nonprofit Agricultural Membership Organizations from Insurance Requirements"

(S.P. 381) (L.D. 893)

Was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-59)**.

Representative FAULKINGHAM of Winter Harbor moved that the Bill be **TABLED** until later in today's session pending the motion of Representative MOONEN of Portland to **RECONSIDER** whereby the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-59)**.

Representative MOONEN of Portland **REQUESTED** a roll call on the motion to **TABLE** the Bill until later in today's session pending the motion of Representative MOONEN of Portland to **RECONSIDER** whereby the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-59)**.

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

The SPEAKER: A roll call has been ordered. The pending question before the House is to Table the Bill until later in today's session pending the motion of Representative Moonen of Portland to Reconsider whereby the Bill was Passed to be Engrossed as Amended by Committee Amendment "A" (S-59). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 280

YEA - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Daigle, Dill, Drinkwater, Ducharme, Farrin, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, Libby, Mason, McIntyre, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Schmursal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S, Mr. Speaker.

NAY - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dodge, Doudera, Faircloth, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager.

ABSENT - Archer, Campbell, Cluchey, Cray, Eaton, Eder, Griffin, Hall, Lanigan, Lyman, Rudnicki, Underwood, Wadsworth, Woodsome.

Yes, 65; No, 72; Absent, 14; Vacant, 0; Excused, 0.

65 having voted in the affirmative and 72 voted in the negative, with 14 being absent, and accordingly the motion to **TABLE** the Bill until later in today's session pending the motion of Representative MOONEN of Portland to **RECONSIDER** whereby the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-59) FAILED**.

Subsequently, Representative HENDERSON of Rumford **REQUESTED** a roll call on the motion to **RECONSIDER** whereby the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-59)**.

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

The SPEAKER: A roll call has been ordered. The pending question before the House is Reconsideration whereby the Bill was Passed to be Engrossed as Amended by Committee Amendment "A" (S-59). All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 281

YEA - Abdi, Ankeles, Arford, Beck, Bell, Boyer M, Brennan, Bridgeo, Bunker, Cloutier, Copeland, Crafts, Crockett, DeBrito, Dhalac, Dodge, Doudera, Faircloth, Friedmann, Frost, Gattine, Geiger, Gere, Golek, Graham, Gramlich, Hasenfus, Hepler, Julia, Kessler, Kuhn, Lajoie, Lee, Lookner, Macias, Malon, Mastraccio, Mathieson, Matlack, McCabe, Meyer, Milliken, Mitchell, Montell, Moonen, Murphy, O'Halloran, Osher, Pluecker, Pugh, Rana, Ray, Rielly, Roberts, Roeder, Rollins, Runte, Sachs, Salisbury, Sargent, Sato, Sayre, Shagoury, Sinclair, Skold, Stover, Supica, Terry, Warren, Webb, Yusuf, Zager.

NAY - Adams, Albert, Arata, Ardell, Babin, Bagshaw, Bishop, Blier, Boyer D, Carlow, Caruso, Chapman, Cimino, Collamore, Collins, Cooper, Daigle, Dill, Drinkwater, Ducharme, Farrin, Faulkingham, Flynn, Foley, Foster, Fredericks, Fredette, Gifford, Greenwood, Guerrette, Haggan, Henderson, Hymes, Jackson, Javner, Lance, Lavigne, Lemelin, Libby, Mason, McIntyre, Mingo, Morris, Nutting, Olsen, Parry, Paul, Perkins, Poirier, Pomerleau, Quint, Schmursal-Burgess, Simmons, Smith, Soboleski, Strout, Swallow, Thorne, Tuell, Walker, White J, White R, Wood P, Wood S, Mr. Speaker.

ABSENT - Archer, Campbell, Cluchey, Cray, Eaton, Eder, Griffin, Hall, Lanigan, Lyman, Rudnicki, Underwood, Wadsworth, Woodsome.

Yes, 72; No, 65; Absent, 14; Vacant, 0; Excused, 0.

72 having voted in the affirmative and 65 voted in the negative, with 14 being absent, and accordingly the House **RECONSIDERED** its action whereby the Bill was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (S-59)**.

Subsequently, Representative MOONEN of Portland **REQUESTED** a roll call on **PASSAGE TO BE ENGROSSED as Amended by Committee Amendment "A" (S-59)**.

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 Newport, Representative Fredette.

Representative **FREDETTE**: Thank you, Mr. Speaker. I had sort of promised myself I wasn't going to speak today, and the only reason why I rise is, is because, on our vote for the 9:00 o'clock motion, I took the Speaker at his word that we had a couple of small matters to sort of work through, and then, we would all head home. I guess I didn't interpret in that representation a motion to Reconsider a bill that previously had passed, which now appears to be for the intent to not pass it. And so, I guess I'm just a little bit disappointed, Mr. Speaker, that when we voted on the previous motion in regards to the nine

o'clock, I didn't understand that we'd be doing a vote on this. Thank you, Mr. Speaker.

Representative HENDERSON of Rumford moved that the Bill and all accompanying papers be **INDEFINITELY POSTPONED**.

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

Representative **HENDERSON**: Due to the numerous pleas from my colleagues, I move we do not Indefinitely Postpone. So, thank you.

The same Representative **WITHDREW** her motion to **INDEFINITELY POSTPONE** the Bill and all accompanying papers.

The SPEAKER: The Chair understands that the motion to Indefinitely Postpone has been withdrawn. The Chair recognizes the Representative from Hodgdon, Representative Quint.

Representative **QUINT**: Thank you, Mr. Speaker.

Representative **MOONEN**: Point of Order.

The SPEAKER: The Chair would inquire as to the Representative from Portland's Point of Order.

Representative **MOONEN**: The Member was recognized to speak, but she's not speaking, and I was hoping that she would use her time.

The SPEAKER: The Chair would inform the Member that the Chair is on the phone with the Minority Leader, and I informed the Member to please wait until I was done speaking.

Representative **MOONEN**: Oh, I'm sorry.

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

Representative **QUINT**: Thank you, Mr. Speaker, and thank you for informing the other Member that you had nodded to me, because I wanted to wait until you were actually able to acknowledge what I had to say, since I am supposed to direct my comments to the Chair and not to the other side.

I also heard what you said earlier about what we would be doing after 9:00 o'clock. I voted no, because throughout this entire session, promises have not been kept, Mr. Speaker, and I believed that this type of thing would happen, and I'm very disappointed that it actually has come to fruition and just want to state on record, I am extremely disappointed that I was, in fact, correct.

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

Representative **FAULKINGHAM**: Thank you, Mr. Speaker. Mr. Speaker, we had voted, a bipartisan group, to finish a little bit of work. This wasn't part of that work. We were going to do four more bills. And so, this is beyond that. I totally, you know, I understand what it's like being in the Majority and you do things when you can win votes and you count votes, but this is beyond that. We're way too late, we don't need to, this is way beyond that, Mr. Speaker.

Mr. Speaker, I'm going to ask all the Republicans on this side to get up and walk out that door right there right now, get up and walk out. Mr. Speaker, we're done for the night. I move that we adjourn.

The SPEAKER: The Chair would inform the Member that because the Member was participating in the course of debate, the Rules preclude the Member from participating in the debate and then making a motion that ceases debate. The Chair is going to have to recognize another Member before the Member can make such a motion.

The SPEAKER: The Chair recognizes the Representative from Bridgton, Representative Cimino.

Representative **CIMINO**: Mr. Speaker, I am so disgusted with how this has gone, because you basically lied to us by telling us that supporting staying after 9:00 o'clock; and I voted against it, because I knew this was going to happen; but you basically said that we did not have a lot of business left, you cited what we had left to do and then, after we finished that business, we went on to another bill that we had passed earlier, and it's just, it was a complete lie with what you sold. And anyway, as I said, I'm disgusted and I am walking out. Thank you.

The SPEAKER: The Chair would inform the Body that the Chair is not privy to holds for bills. This bill was held, a Reconsideration motion was offered by a Member. That's not a motion that's offered by the Chair. The Chair did inform the Body of the work that was before it. A motion from the floor is something the Chair cannot predict.

Representative FAULKINGHAM of Winter Harbor moved that the House stand **ADJOURNED**.

Representative MOONEN of Portland **REQUESTED** a roll call on the motion to **ADJOURN**.

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

Representative **FAULKINGHAM**: Mr. Speaker, Point of Order.

The SPEAKER: The Chair would inquire as to the Representative's Point of Order.

Representative **FAULKINGHAM**: Mr. Speaker, we do not have a quorum.

Representative FAULKINGHAM of Winter Harbor inquired if a Quorum was present.

The Chair ordered a quorum call.

More than half of the members responding, the Chair declared a Quorum present.

On motion of Representative MOONEN of Portland, the House adjourned at 9:54 p.m., until 10:00 a.m. tomorrow, June 3, 2025.